Section 1 Advertisement

Sealed bids addressed to Lena Butler, Purchasing Supervisor, New Hanover County Finance Department, 230 Government Center Drive, Suite 165, Wilmington, NC 28403 and marked "RFB # 18-0133-NHC COURTHOUSE WINDOW RESTORATION PROJECT" will be accepted until 3:00 PM EST, Thursday, September 7, 2017.

This project includes the repair and restoration of historic windows at the New Hanover County Courthouse. The repairs should be completed retaining as much of each individual window frame, sash, and pane as possible. Full window replacement is not allowed. Replacement window components are to be completed in a historically accurate manner. Repair specifications and acceptable products are included in the project specifications. Window repairs may be awarded per floor to meet budget constraints.

The bids will be publicly opened and read aloud following the latest time for receipt of bids in the New Hanover County Finance Office, Suite 165, Conference Room 500, Wilmington, North Carolina.

Complete plans, specifications, and contract documents can be obtained electronically at http://www.nhcgov.com/business-nhc/bids/.

PRE-BID VISIT/MEETING: It is required that Bidders become familiar with the site prior to the bid date in order to be thoroughly familiar with the nature and scope of the Work. A site visit can be scheduled with the engineer by emailing eb@andrewengineers.com or calling E.B. Pankuk at 910-202-5555.

The bidder shall make good faith efforts, as defined in the bid specifications, to subcontract 10% of the dollar value of the single prime contract to businesses owned and controlled by minorities.

No Bid may be withdrawn sixty (60) days after bid opening date except as noted in the bidding documents.

The County reserves the right to waive any informalities, to reject any or all bids, and to accept that Bid or Bids which is in the best interest of the County.
Section 2  Instructions to Bidders

2.1 SCHEDULE

<table>
<thead>
<tr>
<th>Event</th>
<th>Date/Time</th>
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<tbody>
<tr>
<td>Advertisement</td>
<td>Wednesday, August 23, 2017</td>
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<tr>
<td>Deadline to Request Site Visit/Meeting</td>
<td>Wednesday, August 30, 2017</td>
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<td>Deadline for Questions</td>
<td>Friday, September 1, 2017 at 5:00 PM</td>
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<tr>
<td>Deadline for Receipt of Bids</td>
<td>Thursday September 7, 2017 at 3:00 pm EST</td>
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<td>(Bid opening to be held)</td>
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2.2 PREPARATION OF BID

2.2.1 Bids: Bidders are instructed to submit their bid using the bid form provided. Discrepancies between words and numerals will be resolved in favor of words. Discrepancies between the multiplication of units of work and unit prices will be resolved in favor of the unit prices. Changes or corrections made in the bid must be initialed by the individual signing the proposal. BIDS NOT SIGNED WILL BE DEEMED NONRESPONSIVE AND REJECTED.

2.2.2 No telephone, electronic or facsimile bids will be considered. Bids received after the time and date for closing will be rejected.

2.3 SUBMISSION OF BID

Submit bid in a sealed envelope properly marked “NHC COURTHOUSE WINDOW RESTORATION PROJECT” and address to:

New Hanover County Finance Office  
Attn: Lena Butler, Purchasing Supervisor  
230 Government Center Drive, Suite 165  
Wilmington, NC 28403

2.3.1 After release of the bidding documents, bidders should submit their questions by email to E.B. Pannkuk, PE at eb@andrewengineers.com 5:00 pm EST Friday, September 1, 2017.
PRE-BID VISIT/MEETING: It is required that Bidders become familiar with the site prior to the bid date in order to be thoroughly familiar with the nature and scope of the Work. A site visit can be scheduled with the engineer by emailing eb@andrewengineers.com or calling E.B. Pankuk at 910-202-5555.

Questions and responses affecting the scope of the services will be provided to Bidders by issuance of an Addendum that will be email to the bidders and posted on the County’s website.

2.3.2 Bidders may not have communications, verbal or otherwise, concerning this solicitation with any personnel or boards from New Hanover County, other than the person listed in this section. If any bidder attempts or completes any unauthorized communication, the County will reject the Bidder’s bid.

1.4 COST OF PREPARATION OF RESPONSE

Costs incurred by prospective Bidders in the preparation of the response to this Request for Bids are the responsibility of the responding Bidders and will not be reimbursed by the County.

2.5 EXECUTION OF CONTRACT

The successful Bidder will be required to enter into a formal agreement that is consistent with the bid package outlined within. The Bidder to whom the Contract is awarded by County shall within 15 days after notice of award and receipt of Agreement forms from the County, sign and deliver to the County all required copies of said Agreement along with performance and payment bonds, insurance certificates, and all other required documents.

2.6 DEADLINE FOR RECEIPT OF BIDS

The deadline for receipt of bids is Thursday, September 7, 2017 at 3:00 PM EST. Bids will be opened promptly and read aloud in the New Hanover County Conference Room 500 located at New Hanover County Finance Office, 230 Government Center Drive, Suite 165, Wilmington, NC 28403. Bidders or their authorized agents are invited to be present. Any bids received after the scheduled closing time for the receipt of bids will be rejected.

2.7 WITHDRAWAL OF BID

A bidder submitting a bid for construction or repair work or for the purchase of apparatus, supplies, materials, or equipment may withdraw the bid from consideration after the bid
opening without forfeiture of his bid security if the price bid was based upon a mistake, which constituted a substantial error, provided the bid was submitted in good faith, and the bidder submits credible evidence that the mistake was clerical in nature as opposed to a judgment error, and was actually due to an unintentional and substantial arithmetic error or an unintentional omission of a substantial quantity of work, labor, apparatus, supplies, materials, equipment, or services made directly in the compilation of the bid, which unintentional arithmetic error or unintentional omission can be clearly shown by objective evidence drawn from inspection of the original work papers, documents or materials used in the preparation of the bid sought to be withdrawn.

A request to withdraw a bid must be made in writing to the County prior to the award of the contract, but not later than 72 hours after the opening of bids. If the work or purchase is rebid, under no circumstances may the bidder who has filed a request to withdraw be permitted to rebid the work or purchase.

2.8 AUTHORIZED SIGNATURE

Please be advised that the person signing the bid must be authorized by your organization to contractually bind your firm with regard to prices and related contractual obligations for the delivery and installation period requested. **BIDS NOT SIGNED WILL BE REJECTED.**

2.9 INSURANCE

Before commencing any work or services, Bidder shall procure insurance in Bidder’s name and maintain all insurance policies for the duration of the Contract of the types and in the amounts listed in the contract attached to this Request for Bids.

The insurance shall provide coverage against claims for injuries to persons or damages to property which may arise from operations or in connection with the performance of the work hereunder by Bidder, its agents, representatives, employees, or subcontractors, whether such operations by itself or anyone directly or indirectly employed by it.

2.10 BID BOND

No bid bond is required for this project.

2.11 SURETY BONDS

The successful bidder/s **MAY BE REQUIRED** to provide a performance bond in the amount of one hundred percent (100%) of the construction contract amount, conditioned upon the faithful performance of the contract in accordance with the plans, specifications
and conditions of the contract. Such bond shall be solely for the protection of the contracting body that is constructing the project.

A payment bond in the amount of one hundred percent (100%) of the construction contract amount, conditioned upon the prompt payment for all labor or materials for which a contractor or subcontractor is liable. The payment bond shall be solely for the protection of the persons furnishing materials or performing labor for which a contractor, subcontractor, or construction manager at risk is liable.

The performance bond and payment bonds shall be executed by one or more surety companies legally authorized to do business in the State of North Carolina and shall become effective upon the awarding of the construction contract.

2.12 E-VERIFY

Pursuant to N.C.G.S 147-33.95(g), New Hanover County shall not enter into a contract unless the Bidder and each of its sub-contractors comply with the E-Verify requirements of N.C.G.S. Chapter 64, Article 2. Bidders are directed to review the foregoing laws. The successful Bidder must submit a certification of compliance with E-Verify to the County, and on a periodic basis thereafter as may be required by the County.

2.13 IRAN DIVESTMENT CERTIFICATION

This Act requires that the State, a North Carolina local government, or any other political subdivision of the State of North Carolina must not utilize any contractor or subcontractor found on the State Treasurer’s Final Divestment List. Contractor certifies that it or its subcontractors are not listed on the Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-85.60. The State Treasurer’s Final Divestment List can be found on the State Treasurer’s website at the address www.nctreasurer.com/Iran and will be updated every 180 days.

2.14 CONDITION OF AWARD

The award of any contract resulting from this bid will be made to the lowest responsible bidder, taking into consideration quality, performance and time specified in the bid for the performance of the contract. The term responsibility implies skill, judgment and integrity necessary to the faithful performance of the contract, as well as sufficient financial resources and ability.

In the event the lowest responsible, responsive bid is in excess of the funds available for the project, the County may enter into negotiations with the lowest responsible, responsive bidder and may make reasonable changes in the plans and specifications to bring the price
within the funds available for the project and award the bid. If such negotiations prove to be unsuccessful, the County may re-advertise the project after making such changes in the plans and specifications as may be necessary to bring the cost of the project within the funds available.

The County may also award per floor to meet budget constraints.

New Hanover County reserves the right to reject all bids received in response to this Request for Bids (RFB).

The Successful Bidder(s) will be a Contractor familiar with this type of work and who has the necessary equipment and personnel to perform the work within the time specified.

### 2.15 CONSTRUCTION SCHEDULE

Submit Construction Schedule with bid and days required after Notice to Proceed (NTP) to commence and complete construction.

### 2.16 RIGHT TO REJECT

The COUNTY reserves the right to reject any or all Bids, waive irregularities in any Bid and make the award in the best interest of the COUNTY.
Section 3  Bid Form

Deadline for Receipt of Bids: Thursday, September 7, 2017 at 3:00 PM

I certify that this bid is made without prior understanding, agreement or connection with any corporation firm, or person submitting a bid for the same services and is in all respects fair and without collusion or fraud. I understand collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. I agree to abide by all conditions of this bid and certify that I am authorized to sign this bid for the bidder.

FOR: NHC Historic Courthouse Window Restoration Project.

The undersigned, having visited the Site as described in the Invitation to Bid and having familiarized himself with local conditions affecting the Cost of the Work and with all requirements of the Contract Documents as prepared by the Engineer and all Addenda to said documents hereby proposes to furnish all things as required by said documents of the Project for the following amounts:

GENERAL CONTRACT:

This Bid for the full scope of work is split into a Base Bid (LEVEL Three) and Three (3) alternatives.

Perform the foundation repairs identified on Construction Documents. Construction Documents include:


**Base Bid Level Three** $______________

Alternates:

A. Level One $______________
B. Level Two $______________
C. Attic $______________

Total for all Levels (Base Plus Three Alternates) $______________
GENERAL CONDITIONS

1. Contractor to closely coordinate their construction schedule with appropriate New Hanover County Courthouse staff.

2. Construction debris must be cleaned and placed in a trash receptacle daily. Dumpster location must be approved by owner prior to mobilization.

3. Contractor to provide temporary restroom facilities.

4. Contractor to provide submittal for all products used on site.

5. Contractor to self-perform repairs

UNIT PRICE: LEAD PAINT REMOVAL PER WINDOW:

_____________________________________________ Dollars
($)_____________________________________________

UNIT PRICE: WINDOW GLAZING REPLACEMENT PER PANEL:

_____________________________________________ Dollars
($)_____________________________________________

ADD ALTERNATE 1: FURNISH PERFORMANCE AND PAYMENT BOND:

_____________________________________________ Dollars
($)_____________________________________________

MAJOR SUBCONTRACTORS/VENDORS: (List the Subcontractors and vendors you agree to use if awarded the Contract)

Subcontractors:

_____________________________________________

_____________________________________________

If awarded this Contract, the undersigned will:
- start work within ____ calendar days from the date of Notice To Proceed
- provide a construction schedule within 14 calendar days from the date of Notice to Proceed.
- complete the work within ____ calendar days of Notice To Proceed.
ADDENDUM RECEIPT:
Receipt of the following Addenda are acknowledged:
(Yes/No)

Addendum No. 1_____________________Dated__________
Addendum No. 2_____________________Dated__________

Name of Bidder: _____________________________________________

Bidder: Individual ( ), Partnership ( ), Corporation ( ) X appropriate box

Bidders Address: _____________________________________________

Partners Names if Partnership:
___________________________________________

Organized under the laws of the State of: ______________________

Name & Home address of the President or Principal Partner:
___________________________________________

Signed: _____________________________________________
By: _____________________________________________
Title: _____________________________________________
State License Number: ________________________________
Date: _____________________________________________

Email Address: _____________________________________________

Corporate Seal:
New Hanover County
Minority and/or Women Business Enterprise (M/WBE) Program

Construction Guidelines and Affidavits

These instructions shall be included with each bid solicitation.
Policy Statement
It is the policy of New Hanover County that minority businesses, as defined by North Carolina General Statute 143-128 have maximum opportunity to participate in the performance of contracts and subcontracts funded in whole or in part with public funds. This includes all aspects of the County’s contracting and procurement programs, including but not limited to construction projects, supplies and materials, as well as professional and personal service contracts.

Goals and Good Faith Efforts
Bidders responding to this solicitation shall comply with the M/WBE program by making Good Faith Efforts to achieve the following aspiration goals for participation.

| M/WBE | 10% |

Bidders shall submit M/WBE information with their bids on the forms provided. This information will be subject to verification by the County prior to contract award. Firms qualifying as “M/WBE” for the County’s goals must be certified by the NC Department of Historically Underutilized Businesses (NCHUB) or by the NC Department of Transportation (NCDOT). Firms qualifying as “WBE” must be designated as “women-owned business” and firms qualifying as “MBE” must be certified in one of the other categories (i.e.: Black, Hispanic, Asian American, American Indian, Disabled, or Socially and Economically Disadvantaged). Those firms who are certified as both a “WBE” and “MBE” may only satisfy the “MBE” requirement. A complete database of NC HUB certified firms may be found at [http://www.doa.nc.gov/hub/default.aspx](http://www.doa.nc.gov/hub/default.aspx) and NCDOT firms may be found at [https://partner.ncdot.gov/VendorDirectory/default.html](https://partner.ncdot.gov/VendorDirectory/default.html).

Please note: A contractor may utilize any firm desired; however, in order for the County to count the participation towards the goal, all M/WBE vendors who wish to do business as a minority or female must be certified by NC HUB or NCDOT.

The Bidder shall make good faith efforts to encourage participation of M/WBEs prior to submission of bids in order to be considered as a responsive bidder. Bidders are cautioned that even though their submittal indicates they will meet the M/WBE goal, they should document their good faith efforts and be prepared to submit this information, if requested.

The M/WBE’s listed by the Contractor on the Identification of Minority/Women Business Participation which are determined by the County to be certified shall perform the work and supply the materials for which they are listed unless the Contractors receive prior authorization from the County to perform the work with other forces or to obtain materials from other sources. If a contractor is proposing to perform all elements of the work with his own forces, he must be prepared to document evidence satisfactory to the owner of similar government contracts where he has self-performed.
The Contractor shall enter into and supply copies of fully executed subcontracts with each M/WBE or supply signed Letter(s) of Intent to the Project Manager after award of contract and prior to Notice to Proceed. Any amendments to subcontracts shall be submitted to the Project Manager prior to execution.
Instructions

The Bidder shall provide with the bid the following documentation:

☐ Identification of Minority/Women Business Participation
   (if participation is zero, please mark zero—Blank forms will be considered nonresponsive)

☐ Affidavit A (if subcontracting)

OR

☐ Identification of Minority/Women Business Participation
   (if participation is zero, please mark zero—Blank forms will be considered nonresponsive)

☐ Affidavit B (if self-performing; must attest that bidder does not customarily subcontract work on this type of project—includes supplies and materials)

Within 72 hours or 3 business days after notification of being the apparent low bidder who is subcontracting anything must provide the following information:

☐ Affidavit C (if aspirational goals are met or are exceeded)

OR

☐ Affidavit D (if aspirational goals are not met)

After award of contract and prior to issuance of notice to proceed:

☐ Letter(s) of Intent or Executed Contracts

**With each pay request, the prime contractors will submit the Proof of Payment Certification, listing payments made to M/WBE subcontractors.

***If a change is needed in M/WBE Participation, submit a Request to Change M/WBE Participation Form. Good Faith Efforts to substitute with another M/WBE contractor must be demonstrated.

Minimum Compliance Requirements:

All written statements, affidavits, or intentions made by the Bidder shall become a part of the agreement between the Contractor and the County for performance of contracts. Failure to comply with any of these statements, affidavits or intentions or with the minority business guidelines shall constitute a breach of the contract. A finding by the County that any information submitted (either prior to award of the contract or during the performance of the contract) is inaccurate, false, or incomplete, shall also constitute a breach of the contract. Any such breach may result in termination of the contract in accordance with the termination provisions contained in the contract. It shall be solely at the option of the County whether to terminate the contract for breach or not. In determining whether a contractor has made Good Faith Efforts, the COUNTY will evaluate all efforts made by the Contractor and will determine compliance in regard to quantity, intensity, and results of these efforts.
NEW HANOVER COUNTY
Identification of Minority/Women Business Participation

I, ____________________________________________ (Name of Bidder)
do hereby certify that on this project, we will use the following minority/women business enterprises as
collection subcontractors, vendors, suppliers or providers of professional services.

<table>
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<tr>
<th>Firm Name, Address and Phone #</th>
<th>Work type</th>
<th>*M/WBE Category</th>
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*M/WBE categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I),
Female (F) Socially and Economically Disadvantaged (S) Disabled (D)

If you will not be utilizing M/WBE contractors, please certify by entering zero “0”

The total value of MBE business contracting will be ($)_________________.
The total value of WBE business contracting will be ($)_________________.

PAGE 5
NEW HANOVER COUNTY 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/Women 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/women business commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: ____________ Name of Authorized Officer: __________________________

Signature: __________________________

Title: __________________________

State of ______________, County of __________________________

Subscribed and sworn to before me this ______ day of ____________ 20____

Notary Public __________________________

My commission expires __________________________

SEAL
NEW HANOVER COUNTY --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 __________________________, County of __________________________

Subscribed and sworn to before me this __________ day of ______ 20___

Notary Public ___________________________________________________________________

My commission expires ___________________________________________________________________
NEW HANOVER COUNTY - AFFIDAVIT C - Portion of the Work to be Performed by M/WBE 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 M/WBE businesses as defined in GS143-128.2(g) and 128.4(a),(b),(e) 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 Name)

Project ID# ____________________________________________________________________________ Amount of Bid: $ __________________________

I will expend a minimum of ________% of the total dollar amount of the contract with M/WBE firms. Minority/women 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 needed

<table>
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<tr>
<th>Name and Phone Number</th>
<th>*M/WBE Category</th>
<th>Work description</th>
<th>Dollar Value</th>
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*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (S) Disabled (D)

Pursuant to GS143-128.2(d), the undersigned will enter into a formal agreement with M/WBE 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 __________, County of ______________________

Subscribed and sworn to before me this __________day of _______ 20____

Notary Public _______________________________________________________________________

My commission expires ___________________________________________________________________
NEW HANOVER COUNTY 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/women business is not achieved, the Bidder shall provide the following documentation to the Owner of his good faith efforts:

Affidavit of ___________________________ I do hereby certify
that on the ________________________________
(Name of Bidder)

________________________________________
(Project Name)

Project ID# ___________________________ Amount of Bid $ __________________

I will expend a minimum of ______% of the total dollar amount of the contract with M/WBE firms. Minority/women 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 needed)

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

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

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.

Pursuant to GS143-128.2(d), the undersigned will enter into a formal agreement with M/WBE 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 __________________________, County of __________________________

Subscribed and sworn to before me this ______ day of ______ 20____

Notary Public __________________________

My commission expires __________
LETTER OF INTENT
M/WBE Subcontractor Performance

Please submit this form or executed subcontracts with M/WBE firms after award of contract and prior to issuance of notice to proceed.

PROJECT: ____________________________________________

(Project Name)

TO: ___________________________________________________

(Name of Prime Bidder/Architect)

The undersigned intends to perform work in connection with the above project as a:

_____Minority Business Enterprise          _____Women Business Enterprise

The M/WBE status of the undersigned is certified the NC Office of Historically Underutilized Businesses (required). ___ Yes  ___ No

The undersigned is prepared to perform the following described work or provide materials or services in connection with the above project at the following dollar amount:

<table>
<thead>
<tr>
<th>Work/Materials/Service Provided</th>
<th>Dollar Amount of Contract</th>
<th>Projected Start Date</th>
<th>Projected End Date</th>
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____________________________________
(Date)

____________________________________
(Address)  ________________________________
(Name & Phone No. of M/WBE Firm)

____________________________________
(Name & Title of Authorized Representative of M/WBE)  ________________________________
(Signature of Authorized Representative of M/WBE)
REQUEST TO CHANGE M/WBE PARTICIPATION

(Submit changes only if notified as apparent lowest bidder, continuing through project completion)

Project: ______________________________________________________________

Bidder or Prime Contractor: ______________________________________________

Name & Title of Authorized Representative: _________________________________

Address: ___________________________  Phone #: ___________________________

_______________________________  Email Address: _______________________

Total Contract Amount (including approved change orders or amendments): $________

Name of subcontractor: ___________________________________________________

Goods or services provided: _____________________________________________

Proposed Action:

___Replace subcontractor
___Perform work with own forces

For the above actions, you must provide one of the following reasons (Please check applicable reason):

___ The listed MBE/WBE, after having had a reasonable opportunity to do so, fails or refuses to execute a written contract.

___The listed MBE/WBE is bankrupt or insolvent.

___The listed MBE/WBE fails or refuses to perform his/her subcontract or furnish the listed materials.

___The work performed by the listed subcontractor is unsatisfactory according to industry standards and is not in accordance with the plans and specifications; or the subcontractor is substantially delaying or disrupting the progress of the work.

If replacing subcontractor:
Name of replacement subcontractor: _________________________________
The M/WBE status of the contractor is certified by the NC Office of Historically Underutilized Businesses (required). ___Yes  ___No

Dollar amount of original contract $________________

Dollar amount of amended contract $ ____________

Other Proposed Action:

___Increase total dollar amount of work  ___Add additional subcontractor
___Decrease total dollar amount of work  ___Other

Please describe reason for requested action:  _________________________________________

_________________________________________________________________

If adding* additional subcontractor:

The M/WBE status of the contractor is certified by the NC Office of Historically Underutilized Businesses (required). ___Yes  ___No

*Please attach Letter of Intent or executed contract document

Dollar amount of original contract $________________

Dollar amount of amended contract $ ____________

Interoffice Use Only:

Approval __Y __N

Date_____________________

Signature_________________
Proof of Payment Certification
M/WBE Contractors, Suppliers, Service Providers

Project Name: ________________________________________________

Prime Contractor: ________________________________________________

Current Contract Amount (including change orders): $____________

Requested Payment Amount for this Period: $____________

Is this the final payment? ___Yes  ___No

<table>
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<tr>
<th>Firm Name</th>
<th>M/WBE Category*</th>
<th>Total Amount Paid from this Pay Request</th>
<th>Total Contract Amount (including changes)</th>
<th>Total Amount Remaining</th>
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*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (S) Disabled (D)

Date:_____________________

Certified By: __________________________

Name

______________________________

Title

______________________________

Signature