

7d

PROJECT BID INFORMATION

Applicant Town of Hertford Meads Lift Station Relocation and Sewer Rehabilitation

Project Number VUR-W-ARP-0068 & CS370526-05

Address 114 B West Grubb Street
P.O. Box 32
Hertford, NC 27944

Bid Information to be forwarded with the cost summary

- (a) Tabulations of all bids received (sealed by engineer). *Included*
- (b) Copies of the bid(s) and bid bond the applicant wishes to accept. *Included*
- (c) Resolution of tentative award from the governing board. *Included*
- (d) Engineer's recommendation of award letter. *Included*
- (e) Proof of advertisement. *Included*
- (f) MBE/WBE documents: (see MBE/WBE instructions) *Included*
- (g) American Iron and Steel Certification (not applicable to all projects) *Included*
- (h) If negotiations took place to get the project within budget, all information associated with the negotiations must be submitted. *Included*

These items, and this form must be submitted to your assigned DWI, Grant Management Unit project manager. Contact Mark Hubbard if you do not know who your project manager is.

Addenda

All addenda must be submitted to your DWI project engineer for approval prior to opening bids. Changes to the scope of the project may result in funding being rescinded.

Please Note that the following items must be submitted before any reimbursements will be made. All items in the below list are submitted to Pam Whitley of DWI.

- Capital Project Ordinance
- Site Certificate
- Closing costs
- Executed Construction Contracts (DWI will approve by letter)
- A/E contracts (DWI will approve by letter)
- A/E Brooks Act Compliance Certification (applicable to certain Federal projects)
- Federal ID and DUNS numbers (form was provided with the Loan Offer package)
- LGC must receive the executed promissory note (see guidance document for details on when the promissory note is generated)

Mailing Address: Division of Water Infrastructure
1633 Mail Service Center
Raleigh, NC 27699-1633

PROJECT COST SUMMARY (as-bid)		
List contractor names below:	TOTAL	ELIGIBLE*
1. Enviro-Tech Unlimited Construction Services (Contract 1)	\$ 2,492,227.00	\$ 2,492,227.00
2. Enviro-Tech Unlimited Construction Services (Contract 2)	\$ 505,176.00	\$ 505,176.00
EQUIPMENT AND MATERIALS	N/A	N/A
SUBTOTAL	\$	\$
CONTINGENCY (2% of construction)	\$ 64,087.00	\$ 64,087.00
ENGINEERING	\$ 685,000.00	\$ 685,000.00
LEGAL, TESTING, ETC.	N/A	
OTHER (specify) ⇒	N/A	
REAL PROPERTY ACQUISITION COSTS**	N/A	
CLOSING COSTS (Not eligible in CWSRF)	\$ 1,465.80	\$ 0
TOTAL	\$ 3,747,955.80	\$ 3,746,490.00

*Please see eligibility guidance for a full accounting of eligible costs. ** Please use the form provided on the website in addition to land cost invoices.

REVENUE SOURCES FOR PROJECT CONSTRUCTION	
List funds that are available for this project	AMOUNT
DWI FUNDING - (CWSRF DWI# CS370526-05 Principal Forgiveness PF)	\$73,290
DWI FUNDING - (ARPA DWI# VUR-W-ARP-0068)	\$3,673,200
TOWN FUNDS (2% CWSRF CLOSING FEE)	\$1,465.80
GENERAL OBLIGATION or REVENUE BONDS	N/A
OTHER AGENCY (specify) ⇒	N/A
OTHER AGENCY (specify) ⇒	N/A
OTHER (specify) ⇒	N/A
OTHER (specify) ⇒	N/A
TOTAL	\$3,747,955.80

The undersigned representative of the Recipient certifies that the information contained above and in any attached statements and material in support thereof is true and correct to the best of his or her knowledge.

Signature of Authorized Representative

Doris Walton (Interim Town Manager)
Name and Title (type or print)

Date

Budget: Hertford Collection System Improvements

DWI Project No. VUR-W-ARP-0068 & CS370526-05

WR Project No. 09220405.01

FUNDING SOURCE	Amount
DEQ Funding (CWSRF DWI# CS370526-05 Principal Forgiveness PF)	\$73,290.00
DEQ Funding (ARPA DWI# VUR-W-ARP-0068)	\$3,673,200.00
TOTAL DEQ FUNDING	\$3,746,490.00
Town Funds (CWSRF 2% loan closing fee)	\$1,465.80
TOTAL FUNDING	\$3,747,955.80
Description	Amount*
Base Bid (Meads Lift Station Relocation and Sewer Rehabilitation) - Contract 1	\$2,779,360.00
Base Bid (WWTP) - Contract 2	\$947,000.00
Contingency (2%)	\$74,527.20
Engineering	\$685,000.00
Total Project Cost	\$4,485,887.20
DWI Funding (CWSRF DWI# CS370526-05 Principal Forgiveness PF)	\$73,290.00
DWI Funding (ARPA DWI# VUR-W-ARP-0068)	\$3,673,200.00
Total Project Budget	\$3,746,490.00
Total Construction Budget	\$3,061,490.00
<i>Construction Budget Surplus</i>	<i>(\$739,397.20)</i>

Budget: Hertford Collection System Improvements

DWI Project No. VUR-W-ARP-0068 & CS370526-05

WR Project No. 09220405.01

FUNDING SOURCE	Amount
DEQ Funding (CWSRF DWI# CS370526-05 Principal Forgiveness PF)	\$73,290.00
DEQ Funding (ARPA DWI# VUR-W-ARP-0068)	\$3,673,200.00
TOTAL DEQ FUNDING	\$3,746,490.00
Town Funds (CWSRF 2% loan closing fee)	\$1,465.80
TOTAL FUNDING	\$3,747,955.80
Description	Amount*
Negotiated Base Bid (Meads Lift Station Relocation and Sewer Rehabilitation) - Contract 1	\$2,492,227.00
Negotiated Base Bid (WWTP) - Contract 2	\$505,176.00
Contingency (2%)	\$64,087.00
Engineering	\$685,000.00
Total Project Cost	\$3,746,490.00
DWI Funding (CWSRF DWI# CS370526-05 Principal Forgiveness PF)	\$73,290.00
DWI Funding (ARPA DWI# VUR-W-ARP-0068)	\$3,673,200.00
Total Project Budget	\$3,746,490.00
Total Construction Budget	\$3,061,490.00
<i>Construction Budget Surplus</i>	\$0.00



February 14, 2025

Doris Walton
Interim Town Manager
Town of Hertford
P.O Box 32
Hertford, North Carolina 27944

RE: Bid Evaluation and Recommendation of Award
Town of Hertford Collection System Improvements –
Contract 2 (WWTP)
WR Project No. 09220405.01
DWI Project No. VUR-W-ARP-0068 & CS370526-05

Dear Mrs. Walton:

The intent of this letter is to present our evaluation of the bids and make a recommendation for the award. At the first potential bid opening date of Thursday, October 17th, 2024 at 2:30 pm, less than three bids were received, so no bids were opened. At the second bid opening on Wednesday December 4, 2024, at 2:30 pm, bid packages were received for the referenced project, opened, and read publicly.

EVALUATION OF BIDS

Three (3) bid packages were received. The bids were delivered to the Town of Hertford before the scheduled bid opening. The bid packages received were as follows.

Wastewater Treatment Plant (WWTP)		
Bidder	Base Bid	Alternate Bid
Enviro-Tech Unlimited Construction Services, LLC	\$947,000.00	\$165,000.00
Laughlin-Sutton Construction Company	\$1,155,700.00	\$79,500.00
Peters & White Construction	\$971,500.00	\$53,000.00

Following the bid opening, WithersRavenel further reviewed the bid package in detail for compliance with NC General Statues and requirements set by the funding agency NCDWI.

Enviro-Tech Unlimited Construction Services, LLC. was the apparent lowest, responsive, and responsible bidder with a Base Bid of \$947,000.00 and an Alternate Bid of \$165,000.00.

Individual unit price bid amounts are provided in the attached Certified Bid Tabulation. A review of the bid submittal package for Enviro-Tech Unlimited Construction Services, Inc. revealed that the bid was complete, and the required supporting documentation was provided.

The total NCDWI project budget amount is \$3,747,956, as shown below:

FUNDING SOURCE	Amount
DEQ Funding (CWSRF DWI# CS370526-05 Principal Forgiveness PF)	\$73,290
DEQ Funding (ARPA DWI# VUR-W-ARP-0068)	\$3,673,200
TOTAL DEQ FUNDING	\$3,746,490
Town Funds (CWSRF 2% loan closing fee)	\$1,466
TOTAL FUNDING	\$3,747,956

After subtracting engineering fees and loan fees from the total project budget, \$3,061,490.00 is available for construction and contingency for Contract 1 (Meads LS and Sewer Rehabilitation) and Contract 2 (WWTP). NCDWI allows for a maximum construction contingency amount of approximately 5%. To maximize construction funds, we recommend utilizing a contingency of approximately 2%.

Due to the cumulative bid prices surpassing the available construction budget, the town is requesting additional ARPA funds from DWI to make the project whole. Concurrently, should additional funds not be available, value engineering negotiations took place between the Town of Hertford, WithersRavenel, and Enviro-Tech Unlimited Construction Services, Inc. The value engineering removed the Grit Removal System from the WWTP project. From this, the project costs and budget are as follows.

Description	Amount*
Negotiated Base Bid (Contract 1- Meads Lift Station Relocation and Sewer Rehabilitation)	\$2,492,227
Negotiated Base Bid (Contract 2- WWTP)	\$505,176
Contingency (2%)	\$64,087
Engineering	\$685,000
Total Project Cost	\$3,746,490
DWI Funding (CWSRF DWI# CS370526-05 Principal Forgiveness PF)	\$73,290
DWI Funding (ARPA DWI# VUR-W-ARP-0068)	\$3,673,200
Total Project Budget	\$3,746,490
Total Construction Budget	\$3,061,490

**Dollar amounts are rounded up to nearest whole dollar*

RECOMMENDATION

Based on our review of the bids and knowledge of the Contractor, WithersRavenel recommends that the Town of Hertford tentatively award the contract to Enviro-Tech Unlimited Construction Services, Inc. in the amount of the Negotiated Base Bid of \$505,176.00, contingent upon the Division of Water Infrastructure's (NCDWI's) approval of the bid package, and the Local Government Commissions (LGC) approval of the CWSRF loan.

If you have any questions or need additional information, please contact me and I will be glad to assist you.

Sincerely,

WithersRavenel



Leonard McBryde III, P.E.
Director of Utilities, Wilmington
lmcbryde@withersravenel.com
919.238.0424

Attachments: Certified Bid Tabulation
Certified Negotiated Bid Tabulation
Project Budget
Resolution of Tentative Award
Scope Reduction and Negotiations Memorandum

**TOWN OF HERTFORD
COLLECTION SYSTEM IMPROVEMENTS –
CONTRACT 2- WWTP PROJECT
AMERICAN RESCUE PLAN ACT GRANT (PROJECT # VUR-W-ARP-0068)
CLEAN WATER STATE REVOLVING FUND LOAN (PROJECT # CS370526-05)**

RESOLUTION OF TENTATIVE AWARD

WHEREAS, the **Town of Hertford**, North Carolina has received bids, pursuant to duly advertised public notice therefore, for construction of the **Contract 2- Wastewater Treatment Plant (WWTP)** project, a portion of project number **VUR-W-ARP-0068 (ARPA) & CS370526-05 (CWSRF)**, and

WHEREAS, WithersRavenel, the Town consulting Engineers, have reviewed the bids; and

WHEREAS, Enviro-Tech Unlimited Construction Services, Inc. was the lowest responsible, responsive bidder for the **Contract 2- WWTP** project in the total bid amount of \$947,000, and

WHEREAS, the consulting Engineers recommend **TENTATIVE AWARD** to the lowest responsible, responsive bidder.

NOW, THEREFORE, BE IT RESOLVED that TENTATIVE AWARD is made to the lowest responsible, responsive bidder (Enviro-Tech Unlimited Construction Services, Inc.) in the Total Bid Amount of \$947,000.

BE IT FURTHER RESOLVED that such TENTATIVE AWARD be contingent upon the approval of the apparent low bidder by North Carolina Department of Environmental Quality Division of Water Infrastructure.

BE IT FURTHER RESOLVED that such TENTATIVE AWARD may be contingent upon receipt of additional American Rescue Plan Act (ARPA) funds from NC Division of Water Infrastructure.

Upon motion of _____, seconded by _____, the above **RESOLUTION** was unanimously adopted.

This is _____ (date) day of _____ (month), 2025 at Town of Hertford, North Carolina.

✓

R. Ashley Hodges, Mayor

ATTEST:

✓

Gina Durante, Town Clerk

**TOWN OF HERTFORD
COLLECTION SYSTEM IMPROVEMENTS –
CONTRACT 2- WWTP PROJECT
AMERICAN RESCUE PLAN ACT GRANT (PROJECT # VUR-W-ARP-0068)
CLEAN WATER STATE REVOLVING FUND LOAN (PROJECT # CS370526-05)**

RESOLUTION OF TENTATIVE AWARD

WHEREAS, the **Town of Hertford**, North Carolina has received bids, pursuant to duly advertised public notice therefore, for construction of the **Contract 2- Wastewater Treatment Plant (WWTP)** project, a portion of project number **VUR-W-ARP-0068 (ARPA) & CS370526-05 (CWSRF)**, and

WHEREAS, WithersRavenel, the Town consulting Engineers, have reviewed the bids; and

WHEREAS, Enviro-Tech Unlimited Construction Services, Inc. was the lowest responsible, responsive bidder for the **Contract 2- WWTP** project in the total negotiated bid amount of \$505,176, and

WHEREAS, the consulting Engineers recommend **TENTATIVE AWARD** to the lowest responsible, responsive bidder.

NOW, THEREFORE, BE IT RESOLVED that TENTATIVE AWARD is made to the lowest responsible, responsive bidder (Enviro-Tech Unlimited Construction Services, Inc.) in the Total Negotiated Bid Amount of \$505,175.

BE IT FURTHER RESOLVED that such TENTATIVE AWARD be contingent upon the approval of the apparent low bidder by North Carolina Department of Environmental Quality Division of Water Infrastructure.

Upon motion of _____, seconded by _____, the above **RESOLUTION** was unanimously adopted.

This is _____ (date) day of _____ (month), 2025 at Town of Hertford, North Carolina.

✓

R. Ashley Hodges, Mayor

ATTEST:

✓

Gina Durante, Town Clerk

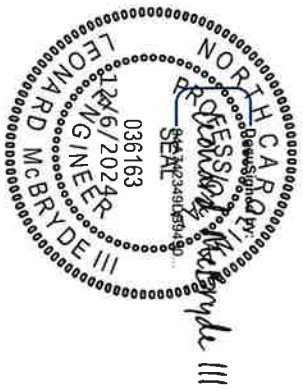
Project Bid Tabulation - Base Bid

Town of Hertford Collection System Improvements- WWTP

DWI Project No. VUR-W-ARP-0068 & CS370526-05

WR Project No. 09220405.01

Bids Received: December 4, 2024			Enviro-Tech Unlimited Construction Services, LLC		Laughlin-Sutton Construction Company		Peters and White Construction		
Item No.	Item Description	Unit	Est. Quan.	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
1	Mobilization	LS	1	\$37,000	\$37,000	\$34,670	\$34,670	\$23,500	\$23,500
2	Automatic Screens Replacement	LS	1	\$375,000	\$375,000	\$473,600	\$473,600	\$375,000	\$375,000
3	Grit Removal System Replacement	LS	1	\$450,000	\$450,000	\$512,530	\$512,530	\$485,000	\$485,000
4	Bypass Pumping	LS	1	\$50,000	\$50,000	\$99,900	\$99,900	\$53,000	\$53,000
5	SCADA (Allowance)	LS	1	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000
Total Construction Bid Cost					\$947,000.00		\$1,155,700.00		\$974,500.00



Project Bid Tabulation - Alternate Bid

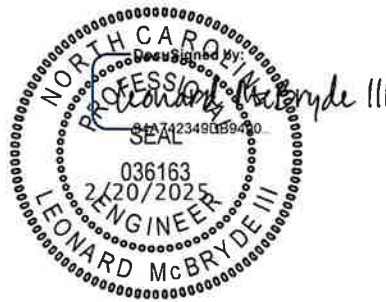
Town of Hertford Collection System Improvements- WWTP

DWI Project No. VUR-W-ARP-0068 & CS370526-05

WIR Project No. 092220405.01

Bids Received: December 4, 2024				Enviro-Tech Unlimited Construction Services, LLC		Laughlin-Sutton Construction Company		Peters and White Construction	
Item No.	Item Description	Unit	Est. Quan.	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
6	Headworks Concrete Repair and Epoxy Coating	LS	1	\$165,000.00	\$165,000.00	\$79,500	\$79,500	\$53,000	\$53,000
Total Construction Bid Cost					\$165,000.00		\$79,500.00		\$53,000.00

Project Bid Tabulation - Negotiated Bid							
Town of Hertford Collection System Improvements- WWTP							
DWI Project No. VUR-W-ARP-0068 & CS370526-05							
WR Project No. 09220405.01							
Original Bid Received: December 4, 2024				Original Bid: Enviro-Tech Unlimited Construction Services, LLC		Negotiated Bid: Enviro-Tech Unlimited Construction Services, LLC	
Item No.	Item Description	Unit	Est. Quan.	Unit Price	Extended Price	Unit Price	Extended Price
1	Mobilization	LS	1	\$37,000	\$37,000	\$37,000.00	\$37,000.00
2	Automatic Screens Replacement	LS	1	\$375,000	\$375,000	\$383,176.00	\$383,176.00
3	Grit-Removal-System-Replacement-	LS	1	\$450,000	\$450,000	\$0.00	\$0.00
4	Bypass Pumping	LS	1	\$50,000	\$50,000	\$50,000.00	\$50,000.00
5	SCADA (Allowance)	LS	1	\$35,000	\$35,000	\$35,000.00	\$35,000.00
Total Construction Bid Cost				\$947,000.00		505,176.00	



CONSTRUCTION DRAWINGS

HERTFORD COLLECTION

SYSTEM REHAB

WWTP IMPROVEMENTS

HERTFORD, NORTH CAROLINA | PERQUIMANS COUNTY

JUNE 27, 2024

DWI PROJECT NO(S): VUR-W-ARP-0068 & CS370526-05



Sheet Number	Sheet Title
C1 00	COVER
C1 00	GENERAL NOTES & LEGEND
M1 00	HEADWORKS AREA DEMOLITION PLAN
M1 01	HEADWORKS AREA PROPOSED IMPROVEMENTS
E1 00	ELECTRICAL LEGEND & ABREVIATIONS
E2 00	ELECTRICAL DEMOLITION PLAN
E3 01	ELECTRICAL POWER PLAN
E4 01	ELECTRICAL CONDUITS
E4 01	ELECTRICAL DETAILS

CONTACT LIST:



PREPARED BY:
WithersRavenel
License # 14271 | 919.469.2200 | www.watersravenel.com

OWNER:

TOWN OF HERTFORD
1 MARKET SQUARE
HERTFORD, NORTH CAROLINA 27544
ATTENTION: JAMES WATERS, ZONING & UTILITIES TOWN MANAGER

FINAL DRAWING
FOR REVIEW PURPOSES ONLY
NOT RELEASED FOR CONSTRUCTION

WATERS RAVENEL
10000 WATERS RAVENEL DRIVE
HERTFORD, NC 27544
919.469.2200



Scope Reduction And Negotiations Memorandum

Date: February 05, 2025

DWI Project No: Town of Hertford Collection System Improvements Project: VUR-W-ARP-0068 & CS370526-05

WR Project No: 09220405.01

Participants: Leonard McBryde (Engineer, WithersRavenel) Michele Faison (Grant Administrator, WithersRavenel) Nick Brown (Contractor, Enviro-Tech) Doug Newhouse (Grant Representative, DWI) Doris Walton (Interim Town Manager)

Background

The Hertford Collection System Improvements project involves two separate design projects.

1. Meads Lift Station Relocation and Sewer Rehabilitation
 - a. This project involves relocating the Meads Lift Station, as well as the rehabilitation of sanitary sewer within the town limits.
2. WWTP
 - a. This project involves the rehabilitation of, and upgrades to, the Headworks at the Wastewater Treatment Plant

-
- ▶ 10/17/2024 – 1st Bid Opening was held for both projects. The minimum number of required bids to open bids was not met. WithersRavenel and the Town determined that contractor outreach and re-bidding was the best approach to garner more competitive bidders.
 - ▶ 12/4/2024 – 2nd Bid Opening was held for both projects. The lowest responsive responsible bidder (for both projects) was Enviro-Tech Unlimited Construction Services, LLC. However, low bid prices came in over budget. WithersRavenel engineering was deemed necessary to award the project.
 - Meads LS Relocation and Sewer Rehab – Base Bid of \$2,779,360
 - WWTP – Base Bid of \$947,000
 - Total Construction Budget = \$3,061,490
 - ▶ 1/8/2025 – WR met virtually with Enviro-Tech Unlimited Construction Services, LLC to discuss the need for Value Engineering. WR was to prepare documents for a follow up discussion with the Value Engineered Scope
 - ▶ 1/14/2025 – WR met virtually with Enviro-Tech Unlimited Construction Services, LLC to propose a value engineered scope.

Negotiation and Value WithersRavenel Engineering Process – WWTP

- ▶ 12/11/2024 – Engineer met with Grant Administrator to determine areas qualified for scope reduction in order to retain the areas which qualify the project for funding.
- ▶ 1/13/2025 – Engineer Verified ARPA and CWSRF construction budget with Grant Administrator.
- ▶ 1/14/2025 – Engineer finalized the Value Engineering Proposal and met with the Contractor to discuss proposal.
 - Value engineering proposal removed the grit removal system from the project.



- o Value engineering proposal removed the alternate, entailing epoxy coating of the headworks, from the project
- ▶ 1/20/2025 - The Contractor accepted this value engineering proposal.
- ▶ 2/5/2025 - Engineer to move forward with Bid Recommendation Package to the Town with the final negotiated bid price of \$505,176.00.

Owner: Town of Hertford

Contractor:

Enviro-tech Unlimited Construction Services, LLC.

Authorized Signature



Authorized Signature

By: Doris Walton

By:

Nicholas Brown

Title: Interim Town Manager

Title:

Manager

Date: _____

Date:

2/24/2025

BID BOND

Any singular reference to Bidder, Surety, Owner, or other party shall be considered plural where applicable.

BIDDER (Name and Address): Enviro-Tech Unlimited Construction Services, LLC
PO Box 157
Nags Head, NC 27959

SURETY (Name, and Address of Principal Place of Business): Old Republic Surety Company
18500 W Corporate Dr, Ste 170
Brookfield, WI 53045

OWNER (Name and Address):

ATTN: Janice McKenzie Cole

Town of Hertford

114 West Grubb Street, PO Box 32

Hertford, NC 27944

BID

Bid Due Date: October 17th, 2024

Description (Project Name — Include Location): Collection System Improvements (WWTP) – Hertford WWTP

The project covers replacement (like-for-like) of the electrical and mechanical components at the Wastewater Treatment Plant (WWTP) headworks, which includes replacement of the automatic bar screens, manual bar screens, grit removal system, control panels, and updates to the supervisory control and data acquisition (SCADA) system.

BOND

PENAL SUM FORM

Bond Number: Issued Upon Award

Date: October 17th, 2024

Penal sum Five Percent of Amount Bid \$ 5% of Bid
(Words) (Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER

Enviro-Tech Unlimited Construction Services, LLC (Seal)
Bidder's Name and Corporate Seal

SURETY

Old Republic Surety Company (Seal)
Surety's Name and Corporate Seal

By:


Signature

By:


Signature (Attach Power of Attorney)

Nicholas Brown
Print Name

Grey Allen Glover, Jr.
Print Name

Manager
Title

Attorney-in-Fact
Title

Attest:


Signature **Veronica Kent**

Attest:


Signature **Susan Hall**

Title **Finance Director**

Title **Executive Assistant**

Note: Addresses are to be used for giving any required notice.

Provide execution by any additional parties, such as joint venturers, if necessary.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and

assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.

2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.

3. This obligation shall be null and void if:

3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or

3.2 All Bids are rejected by Owner, or

3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).

4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.

5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.

6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after the Bid due date.

7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.

8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.

9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.

10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any

applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.

11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.



OLD REPUBLIC SURETY COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint: **EDWIN C. KELLAM, JR., GREY ALLEN GLOVER, JR., MICHELLE ROWELL** of VIRGINIA BEACH, VA

its true and lawful Attorney(s)-in-Fact with full power and authority for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof. (other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, or black lung bonds), as follows

ALL WRITTEN INSTRUMENTS

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a special meeting held on February 18 1982.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

RESOLVED that, the president, any vice-president or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds, and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
- (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

RESOLVED FURTHER that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 24th day of January 2024

Karen J. Haffner
Assistant Secretary



OLD REPUBLIC SURETY COMPANY

Alan Pavlic
President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 24th day of January 2024, personally came before me, Alan Pavlic and Karen J. Haffner to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.



Kathryn R. Pearson
Notary Public

My Commission Expires September 28, 2026

(Expiration of notary's commission does not invalidate this instrument)

CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney, remains in full force and has not been revoked, and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

87-4988



Signed and sealed at the City of Brookfield, WI this 17th day of October 24

Karen J. Haffner
Assistant Secretary

ORSC 22262 (3-06)

WARE INSURANCE

bbBID FORM

**Town of Hertford
Collection System
Improvements (WWTP)**

EJCDC® C-410, Bid Form for Construction Contracts.

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to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.

- E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.
- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 – BIDDER'S CERTIFICATION

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at

artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

- 5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

See Attached Bid Form

Bidder acknowledges that (1) each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

ARTICLE 6 – TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete within 210 consecutive calendar days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions, and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions within 240 consecutive calendar days after the date when the Contract Times commence to run.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.01 The following documents are submitted with and made a condition of this Bid:
- A. Required Bid security; in an amount of five (5) percent (%) of the total price bid in the form of a (CIRCLE ONE):
 - Bid Bond
 - Certified Check
 - Cashier's Check
 - B. 00 03 00 - Information Available to Bidder's - Acknowledgement
 - C. 00 03 40 - Non-collusive Affidavit
 - D. 00 03 50 Authority to Execute Contract
 - E. 00 04 10 - Bid Form - Addenda Acknowledgement
 - F. 00 04 12 - E-Verify Affidavit

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- G. 00 04 20 – Bidders Qualifications Forms
- H. Contractor License
- I. NC Division of Water Infrastructure (DWI) MBE/WBE (DBE) Compliance Supplement
 - 1. Good Faith Efforts Certification Form and Affidavit
 - 2. Prime Contractor & list of Selected Subcontractors (Table A) (Use additional sheets if needed)
 - 3. Subcontractor Solicitation List (Table B) if utilizing subcontractor(s)
 - 4. Documentation of MBE/WBE Compliance, including, but not limited to:
 - a. Proof of trade paper advertisement
 - b. DBE sources used
 - c. Solicitation(s) via emails or letters
- J. Debarment Status Certification
- K. American Iron and Steel Certification

ARTICLE 8 – DEFINED TERMS

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 – BID SUBMITTAL

BIDDER: *[Indicate correct name of bidding entity]*

Enviro-Tech Unlimited Construction Services, LLC

By:

[Signature]



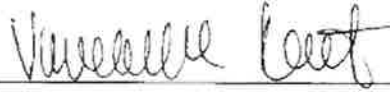
[Printed name]

Nicholas Brown

(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

[Signature]



[Printed name]

Veronica Kent

Title:

Finance Director

Submittal Date:

October 17, 2024

Address for giving notices:

PO BOX 157

Nags Head, NC 27959

Telephone Number:

252-564-7995

Fax Number:

252-862-2790

Contact Name and e-mail address:

Nicholas Brown

nbrown@etucs.com

Bidder's License No.:

63868

(where applicable)

Town of Hertford WWTP				Base Bid Schedule	
Item No.	Item Description	Unit	Est. Quan.	Unit Price	Extended Price
1	Mobilization	LS	1	\$ 37,000.00	\$ 37,000.00
2	Automatic Screens Replacement	LS	1	\$ 375,000.00	\$ 375,000.00
3	Grit Removal System Replacement	LS	1	\$ 450,000.00	\$ 450,000.00
4	Bypass Pumping	LS	1	\$ 50,000.00	\$ 50,000.00
5	SCADA (Allowance)	LS	1	\$35,000.00	\$35,000.00
Total Base Bid					\$ 947,000.00
Nine Hundred Forty Seven Thousand Dollars and Zero Cents					

(Write Out In Words)

Town of Hertford WWTP				Alternate Bid Schedule	
Item No.	Item Description	Unit	Est. Quan.	Unit Price	Extended Price
6	Headworks Concrete Repair and Epoxy Coating	LS	1	\$ 165,000.00	\$ 165,000.00
Total Alternate Bid					\$165,000.00

(Write Out In Words) One Hundred Sixty Five Thousand Dollars and Zero Cents

SECTION 00 03 00
INFORMATION AVAILABLE TO BIDDERS

The following information is available:

Authorization to Construct Permit

Prior to reviewing the information and/or Report(s), interested Bidders will be required to sign a release form stating that it is understood the information is for general information purposes only; no warranties or guarantees are implied. A copy of the report(s) is attached to the end of this section.

"CONTRACTOR" hereby acknowledges and agrees that the following information and/or report(s) are provided by OWNER solely for general information purposes and are not part of the Contract Documents; no warranties or guarantees are implied.

CONTRACTOR: Enviro-Tech Unlimited Construction Services, LLC

(Name of Company)

Accepted By: Nicholas Brown



(Name of the CONTRACTOR's Representative)

Title: Manager

(Title of the CONTRACTOR's Representative)

Date: 10/17/2024

END OF SECTION

**SECTION 00 03 50
AUTHORITY TO EXECUTE CONTRACT**

If the Bidder is a Corporation, attach to this page a certified copy of corporate resolutions of the Board of Directors of the Corporation authorizing an officer of the Corporation to execute the Agreement contained within this document on behalf of the Corporation.

END OF SECTION



UNLIMITED CONSTRUCTION SERVICES LLC

Enviro-Tech Unlimited Construction

License # 63868

Enviro-Tech Unlimited Construction Services, LLC.
PO Box 157, Nags Head, NC 27959

Telephone (252) 564-7995
FAX (252) 862-2790

EVIDENCE OF AUTHORITY TO SIGN

ENVIRO-TECH UNLIMITED CONSTRUCTION SERVICES, LLC

OPERATING AGREEMENT

SCHEDULE A

MEMBERS/MANAGER

NAME/ADDRESS	TITLE	TYPE OF PROPERTY	AGREED UPON VALUE %
WILLIAM G FREED PO BOX 157 NAGS HEAD, NC 27959	MANAGER	CASH	100%
NICHOLAS BROWN PO BOX 157 NAGS HEAD, NC 27959	MANAGER	N/A	N/A

SECTION 00 03 40
NON-COLLUSIVE AFFIDAVIT

Nicholas Brown

being first duly sworn, deposes and says that:

1. He/She is the Manager (OWNER, Partner, Officer, Representative or Agent) of Enviro-Tech Unlimited Construction Services, LLC (the Bidder that has submitted the attached Bid);
2. He/She is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;
3. Such Bid is genuine and is not a collusive or sham Bid;
4. Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affidavit, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Bidder, firm, or person to submit a collusive or sham Bid in connection with the Work for which the attached Bid has been submitted; or to refrain from bidding in connection with such Work; or have in any manner, directly or indirectly, sought by agreement or collusion, or communication, or conference with any Bidder, firm, or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix any overhead, profit, or cost elements of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed Work;
5. The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Bidder or any other of its agents, representatives, owners, employees or parties in interest, including this affidavit.

Dated: 10/17/24

Enviro-Tech Unlimited Construction Services, LLC

(CONTRACTOR)

By: 

State Of: North Carolina

County Of: Dare

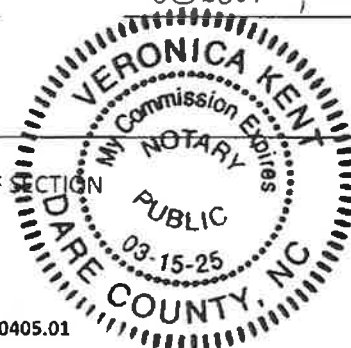
Subscribed and sworn to before me this 17

Day of October, 2024

Notary Public 

My commission expires: 3/15/25

END OF SECTION



SECTION 00 04 12
E-VERIFY AFFIDAVIT

State of North Carolina
County of Dare

NOW COMES Affiant, first being sworn, deposes and says as follows:

1. I have submitted a bid for contract or desire to enter into a contract with the Town of Hertford;
2. As part of my duties and responsibilities pursuant to said bid and/or contract, I attest that I am aware of and in compliance with the requirements of E-Verify, Article 2 of Chapter 64 of the North Carolina General Statutes, to include (mark which applies):
 - After hiring an employee to work in the United States I verify the work authorization of said employee through E-Verify and retain the record of the verification of work authorization while the employee is employed and for one year thereafter; or
 - I employ less than twenty-five (25) employees in the State of North Carolina.
3. As part of my duties and responsibilities pursuant to said bid and/or contract, I attest that to the best of my knowledge any subcontractors employed as a part of this bid and/or contract are in compliance with the requirements of E-Verify, Article 2 of Chapter 64 of the North Carolina General Statutes, to include (mark which applies):
 - After hiring an employee to work in the United States the subcontractor verifies the work authorization of said employee through E-Verify and retain the record of the verification of work authorization while the employee is employed and for one year thereafter; or
 - Employ less than twenty-five (25) employees in the State of North Carolina.

Specify subcontractor _____

This the 17 day of October 20 24

[Signature]

Subscribed before me, this the 17th day of October 20 24



[Signature] Notary Public

My Commission Expires 3/15/25

END OF SECTION

**SECTION 00 04 20
BIDDERS QUALIFICATIONS FORMS**

(Submit with necessary attachments along with your bid documents)

The undersigned warrants the truth and accuracy of all statements and answers herein contained. Include additional sheets if necessary.

How many years has your organization been in business as a (circle one) **General Contractor** / Subcontractor?

17 Years

Describe and give the date and owner of the last project that you have completed similar in type, size, and nature as the one proposed?

Cumtuck County - Ocean Sands Primary Screen Replacement

Completed 10/2024

Replace existing primary screen, control panel, and discharge chute

Size: \$229,500.00

List any projects that you have completed similar in type, size, and nature as the one proposed.

Name of Project 1: KDHWTP Phase 1 Upgrades

Location: Kill Devil Hills, North Carolina

OWNER: KDHWTP, LLC · Eddie Goodrich

Telephone No.: 252-475-0874

ENGINEER: Anlauf Engineering, PLLC

Date Started: 11/2019 Date Completed: 5/2020

Value of Contract: 234,194.00

Description of Project: Improvements in phase 1 included replacement of primary screen, mixers, baffles
structural steel platforms, control panels, and electrical upgrades

Name of Project 2: Neuse Colony WWTP Expansion

Location: Clayton, NC

OWNER: Aqua, NC

Telephone No.: 877-987-2782

ENGINEER: Aqua America - Mark Bubel

Date Started: 9/2014 **Date Completed:** 6/2015

Value of Contract: \$618,289.00

Description of Project: Expansion of existing wastewater treatment plant to include the following:

owner supplied Mechanical Bar Screen, aeration diffusers, uv system improvements, piping, clarifier upgrades,

operations building, site work, and misc electrical improvements

Name of Project 3: Moyock Regional WWTP

Location: Moyock, NC

OWNER: Currituck County

Telephone No.: 252-232-2769

ENGINEER: Anlauf Engineering

Date Started: 3/2012 **Date Completed:** 2/2013

Value of Contract: 2,018,461.60

Description of Project: Construction of new wwtp to include site work, electrical upgrades, blowers, influent bar

screen, mixers, pumps, tanks, fillers, UV, chemical feed, maintenance building, spray fields, control panels and

other equipment for a complete/operational plant

Have you ever failed to complete work awarded to you? If so, where and why?

No

Five horizontal lines for providing details if the answer were not 'No'.

Name three individuals or corporations for which you have performed work and to which you refer: (Attach additional sheets if necessary)

Raymond Staten - City of Elizabeth City - Assistant Utility Director

Will Rumsey - Currituck County- Utilities Manager

Corey Gooden - Town of Edenton - Town Manager

Have you personally inspected the site of the proposed work? Describe any anticipated problems with the site and your proposed solutions: (Attach additional sheets if necessary)

Yes, I have inspected the site


No problems anticipated

Four horizontal lines for providing details regarding site inspection and anticipated problems.

State the true and exact, correct, and complete name under which you do business.

Bidder Is: Enviro-tech Unlimited Construction Services, LLC

(Bidder Name)



(Individual's Signature)

Nicholas Brown

(Individual's Name)

END OF SECTION

Expiration Date

12/31/2024

License No.

63868

North Carolina

Licensing Board for General Contractors

This is to Certify That:

Enviro-Tech Unlimited Construction Services, LLC

Nags Head, NC

is duly registered and entitled to practice

General Contracting

Limitation: Unlimited

Classification: Building, Highway, PU(Water Lines & Sewer Lines), PU(Water Pur. & Sewage Disp.)

until

December 31, 2024

when this Certificate expires.
Witness our hands and seal of the Board.

Dated, Raleigh, N.C.

01/01/2024

This certificate may not be altered.



Robert H. H. H.
Chairman

C. Frank Wiener
Secretary-Treasurer

NC Division of Water Infrastructure MBE/WBE (DBE) Compliance Supplement Instructions

(This package combines the various aspects of State of NC HUB program requirements and Federal DBE requirements into a single compliance supplement in order to eliminate redundancy and ambiguity)

Item	What to do with it
Good Faith Efforts Form	Provided by all bidders to be responsive Only low bidder's form is submitted to the State
Table A (Summary of firms on job)	Provided by all bidders to be responsive Only low bidder's form is submitted to the State
Table B (per item being subbed)	Provided by low bidder if SRF project or SRP/SEL* that obtains less than 10% M/WBE utilization (see page 2)
Provide documentation of anything you did that is mentioned later in this supplement	- Proof of trade paper advertisement - Printouts of DBE sources used - Solicitation emails and/or letters
Additional Forms for SRF Projects (these forms are currently not applicable)	
6100-3 (per M/WBE firm)	Provided by low bidder if SRF project
6100-2	Distributed to M/WBE firms if SRF project
Subs submit concerns on 6100-2 forms to:	Michael Pigram Region 4, Atlanta Federal Center 61 Forsyth Street Atlanta, GA 30303-8960

NOTES on this Compliance Supplement

Verifiable Goals

- EPA MBE/WBE participation goals: MBE 10.9%
WBE 10.4%

These are goals that the State reports against and are not quotas. The good faith efforts must be adhered to and all forms provided regardless of what percentage utilization is achieved.

- State of NC MBE/WBE participation goal: 10% (combined)

Table B is not required for SRP and SEL projects if you achieve 10% utilization.

DBE (MBE or WBE) Certification

In order for a firm to count towards the goals, a firm must be properly certified. Table A and Table B both provide spaces to note who certified the firm. The North Carolina Department of Administration and North Carolina Department of Transportation are the most common certifications we see listed. Division of Water Infrastructure staff verify all certifications listed.

For SRF projects, please note the EPA's six Good Faith Efforts found in 40 CFR 33

Filling out the Good Faith Efforts Form and providing Table B (if subcontracting is achieved) constitutes compliance with EPA's six good faith efforts.

(1) Ensure MBE/WBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and local Government recipients, this will include placing MBE/WBEs on solicitation lists and soliciting them whenever they are potential sources.

(2) Make information of forthcoming opportunities available to MBE/WBEs and arrange time for contracts and establish delivery schedules, where requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.

(3) Consider in the contracting process whether firms competing for large contracts could subcontract with MBE/WBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities in order to increase opportunities for participation by MBE/WBEs in the competitive process.

(4) Encourage contracting with a consortium of MBE/WBEs when a contract is too large for one of these firms to handle individually.

(5) Use the services and assistance of the SBA and the MBDA.

(6) If the prime contractor awards subcontracts, require the prime contractor to take the steps in subparagraphs (1)-(5) of this section.

Pertinent State of North Carolina Administrative Code Regarding M/WBE Compliance. The provisions in this Compliance Supplement constitute compliance with the Rules below.

Owner Requirements	01 NCAC 30I .0306
Contractor Requirements	01 NCAC 30I .0308

Resources

Some sources for identifying MBE/WBE (DBE) firms

- <https://www.ips.state.nc.us/vendor/SearchVendor.aspx> (NCDOA)
- <https://www.ebs.nc.gov/VendorDirectory/default.html> (NCDOT)
- http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm (US SBA)

Some sources for finding minority trade papers for potential solicitation advertisements and Federal advertising options

- <http://web.sba.gov/subnet/> (US SBA Subnet advertising website)
- <https://www.mbda.gov/> (US Dept. of Commerce)
- <https://ncadmin.nc.gov/businesses/hub> (NC HUB Office)

Good Faith Efforts Form

Attempts to provide subcontracting opportunities for MBE/WBE firms.

Per 01 NCAC 30I .0101, 50 points must be claimed below by the bidder.

(This is identical to State of NC Affidavit A)

- 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.

Results of Good Faith Efforts Undertaken (you must check one box below)

- No subcontractors are being used for this contracted work. Fill out Table A listing only the Prime Contractor. (This statement takes the place of State of NC Affidavit B)
- Subcontractors are being used. Fill out Table A and B for each trade. **Each Table B lists 3.**
- Subcontractors are being used. If any Table B has fewer than 3 solicitations you must also advertise in an M/WBE trade paper and indicate what source of M/WBE firms you used (must list at least one). Some possible papers and sources of M/WBE firms are listed in the Instructions of this Supplement.

Name of the Trade Paper: _____

Submit proof of advertisement with package

M/WBE Sources: Source: _____ Source: _____

Submit printouts from M/WBE source(s)

Certification Statement and Affidavit of Contractor.

The below affidavit constitutes compliance with 01NCAC 301 .0308(7)(a) and (b) and takes the place of State of North Carolina Affidavits C and D.

I have read the information in this compliance supplement and all information provided to the State in this package is accurate and true to the extent of my knowledge including the calculated percentages and the good faith efforts presented herein

Enviro-Tech Unlimited Construction Services, LLC

Prime Contractor Company Name (Print)

[Signature] 10-17-24
Prime Contractor Representative (Sign & Date)

State of North Carolina County of Dare

Subscribed and sworn to before me this 17th day of October 2024

Notary Public [Signature]

My Commission Expires 3/15/25



Certification of Project Owner/Funding Applicant

Funding Applicant (City, Town etc)

Applicant Authorized Representative (Sign & Date)

Division of Water Infrastructure Project Number

Table A: Prime Contractor and list of selected subcontractors

List Prime and ALL of the selected subcontractors (both DBE's and non-DBE's) being used on the project. Each Trade listed on this sheet should have a completed Table B: Subcontract Solicitation List showing the DBE firms contacted and given opportunities to bid.

Company Name (list prime first then subs)	Company Address and Phone	Trade (Above) and Price (Below)	MBE or WBE and certifying agency if applicable	(State use only) Listed in EPLS as Debarred?
Enviro-Tech Unlimited Construction Services, LLC	PO BO 157 Nags Head, NC 27959 252-564-7995	Contractor		
		\$ 1,112,000.00		
		\$		
		\$		
		\$		
		\$		

Calculate M/WBE utilization as a percent (00.00%) of the prime contract. Limited to 100% even if the Prime is a DBE.

MBE and WBE subs total	\$	0.00
Prime Contract Price	\$	1,112,000.00
		0.00 %

Note: Table A substitutes for both the State of NC "Identification of Minority Participation" form and EPA Form 6100-4.

MBE/WBE (DBE) – Change or Add a Subcontractor Form

According to EPA guidance on 40 CFR 33.302

If a DBE subcontractor fails to complete work under the subcontract for any reason, the recipient must require the prime contractor to employ the six good faith efforts described in §33.301 if soliciting a replacement subcontractor.

Please provide the information below if the subcontracted work in question was included in previously submitted good faith efforts documentation:

Prime Contractor:

Subcontracted work:

Previous Subcontractor:

Reason this firm did not complete the work:

New subcontractor and DBE status:

MBE

WBE

N/A

If this is a new trade being subcontracted, or was not documented in the original Project Bid Information submittal to the State then good faith efforts to solicit a DBE firm must be documented. As the original DBE instructions indicate, please provide a Table B from those original instructions, showing all the DBE firms contacted to perform this work. If three (3) firms are not listed on Table B, then additionally you must submit proof of an advertisement in a minority trade paper and evidence that there were not three reasonably available firms in the work area. The EPA provides in 33.301(a) that good faith efforts are to be carried out "...to the fullest extent practicable...". If solicitations were not carried out due to being impracticable, please attach this explanation to this form.

Please follow the steps below for new subcontracted work:

Indicate the new trade being subcontracted:

Indicate the firm being used and DBE status:

MBE

WBE

N/A

Attach Table B

(For State Use) Is this sub debarred?

Yes

No

Project Owner/Applicant:

Project Number:

Signature of Prime Contractor's Representative

Bidders' Additional Instructions
How to Complete the DWI MWBE Compliance Supplement Form and Supporting Documents

Prime bidders need to complete one of the methods below. Remember, the effort matters more than the 10% goal. Completing the outreach effort, and documentation of that process, is required, even if you have reached the 10% MWBE goal.

- 1- Primes do all the work themselves. Zero subs.**
- a. Complete the first checkbox.
 - b. Complete the affidavit. Complete Table A listing just themselves.



No subcontractors are being used for this contracted work. Fill out Table A listing only the Prime Contractor. (This statement takes the place of State of NC Affidavit B)

- 2- If Primes know at least 3 MWBE firms per trade they intend to sub.**
- a. Contact subs at least 10 days prior to bid opening deadline
 - b. Complete Table B with at least 3 MWBE firms per trade. Each trade will have its own Table B completed.
 - c. Complete the 2nd checkbox.
 - d. Complete good faith efforts (50+ points)
 - e. Complete the affidavit. Complete Table A listing Prime + subs.
 - f. Supplement with additional Table Bs and Table As as needed.
 - g. If all the Prime did was email/call with direct solicitation, then put that data on Table B. Provide supplemental outreach documentation (e.g., phone log, emails, matrix showing outreach, etc.) as applicable.



Subcontractors are being used. Fill out Table A and B for each trade. **Each Table B lists 3.**

- 3- If Primes DO NOT know at least 3 MWBE firms per trade, (or there's a specialty trade with a small pool of qualified subs, or if 3+ firms are known for some (but not all) of each trade intended for subcontracting)**
- a. Contact subs at least 10 days prior to bid opening deadline
 - b. Complete Table B with whatever subs are known.
 - c. CONDUCT ADDITIONAL OUTREACH. This includes, but is not limited to:
 - i. NC HUB office website online posting, neighboring state equivalent
 - ii. Newspaper ad (e.g., trade paper, local paper, state MWBE paper Greater Diversity, neighboring state equivalent, etc.)
 - iii. Other website outreach (e.g., small business association, local Hispanic/minority contractors' association, local chamber of commerce, MWBE material/supplier association, national institute of economic development, neighboring state equivalent, etc.)
 - iv. Construction management database outreach (e.g., iSqFt, etc.)
 - d. Complete the 3rd checkbox and list the additional sources/papers used.
 - e. Complete good faith efforts (50+ points)
 - f. Complete the affidavit. Complete Table A listing Prime + subs.
 - g. Submit all the required supplemental outreach documentation (phone log, emails, website posting screenshots, email confirmation of website postings, newspaper notices, matrix showing outreach, etc.).
 - h. *If it's a CDBG-I project, in Prime outreach notice, ask if any of the subs also qualify as "Section 3".

Subcontractors are being used. If any Table B has fewer than 3 solicitations you must also advertise in an M/WBE trade paper and indicate what source of M/WBE firms you used (*must list at least one*). Some possible papers and sources of M/WBE firms are listed in the Instructions of this Supplement.

Name of the Trade Paper: _____

Submit proof of advertisement with package

M/WBE Sources: Source: _____ Source: _____

Submit printouts from M/WBE source(s)

In summary, the Prime bidder should submit the following **with their bid package**:

NC Division of Water Infrastructure (DWI) MBE/WBE (DBE) Compliance Supplement

1. Good Faith Efforts Certification Form and Affidavit
2. Prime Contractor & list of Selected Subcontractors (Table A) (Use additional sheets if needed)
3. Subcontractor Solicitation List (Table B) if utilizing subcontractor(s)
4. Documentation of MBE/WBE Compliance, including, but not limited to:
 - a. Proof of trade paper advertisement
 - b. DBE sources used
 - c. Solicitation(s) via emails or letters

In effect, the DWI form would be modified as such:

Item	What to do with it
Good Faith Efforts Form	Provided by all bidders to be responsive Only low bidder's form is submitted to the State
Table A (Summary of firms on job)	Provided by all bidders to be responsive Only low bidder's form is submitted to the State
Table B (per item being subbed)	Provided by all bidders to be responsive (if subcontracting is achieved)
Provide documentation of anything you did that is mentioned later in this supplement	Provided by all bidders to be responsive (if subcontracting is achieved) - Proof of trade paper advertisement - Printouts of DBE sources used - Solicitation emails and/or letters