

**GREENVILLE UPTOWN THEATER  
PHASE 1 - CONSTRUCTION**

**CITY OF GREENVILLE  
NORTH CAROLINA**



*Find yourself in good company*

**PRE-BID MEETING: WEDNESDAY, JANUARY 20, 2016 @ 2:00 PM**  
**CITY OF GREENVILLE MUNICIPAL BUILDING**  
**POLICE COMPSTAT ROOM, THIRD FLOOR**  
**201 WEST FIFTH STREET, GREENVILLE, NC**

**BID-OPENING: THURSDAY, FEBRUARY 4, 2016 @ 2:00 PM**  
**PUBLIC WORKS CONFERENCE ROOM**  
**1500 BEATTY STREET, GREENVILLE, NC**

**CONTACT PERSONS:**

**QUESTIONS REGARDING THE BID PACKAGE:**

*Mrs. Angelene Brinkley*

*Purchasing Manager*

*Telephone: (252) 329-4462*

*Fax: (252) 329-4464*

*Email: [abrinkley@greenvillenc.gov](mailto:abrinkley@greenvillenc.gov)*

**QUESTIONS REGARDING THE SPECIFICATIONS:**

*Mr. Devin Thompson*

*Buildings and Grounds Supervisor*

*Telephone: (252) 329-4931*

*Fax: (252) 329-4844*

*Email: [dthompson@greenvillenc.gov](mailto:dthompson@greenvillenc.gov)*

**CITY OF GREENVILLE  
ADVERTISEMENT FOR PROPOSALS  
“Greenville Uptown Theater Phase 1 - Construction”**

The Greenville Redevelopment Commission is requesting proposals for the “Greenville Uptown Theater Phase 1 - Construction”. The scope of work for phase 1 shall include theater renovation, as per RPA Engineering sealed plans, dated December 3, 2015 and environmental decontamination plans by Duncklee and Dunham, dated November 21, 2013.

A complete set of plans and specifications for this project can be obtained by contacting Devin Thompson, Buildings and Grounds Supervisor, at the City of Greenville Public Works Department, during normal business hours, Monday through Friday, 7:00 AM to 4:00 PM (*except scheduled holidays*) @ (252) 329-4931.

A pre-bid meeting and site visit will be held at the Compstat Room located on the third floor of the Municipal Building, 201 W. 5<sup>th</sup> Street, Greenville, NC on Wednesday, January 20, 2016 @ 2:00 PM.

A site visit is mandatory and the alternate dates for scheduled site visits will be Tuesday, January 26, 2016 @ 9:00 AM or Wednesday, January 27, 2016 @ 9:00 AM, by contacting Devin Thompson @ (252) 329-4931.

Sealed proposals will be received by the Greenville Redevelopment Commission until Thursday, February 4, 2016 by 2:00 PM at the Public Works Reception Desk located at 1500 Beatty Street, Greenville, NC 27834.

Mailed bids must be delivered to 1500 Beatty Street, Greenville, NC 27834 on or before Thursday, February 4, 2016 @ 2:00 PM and addressed to Mr. Devin Thompson, Buildings and Grounds Supervisor, with the words *Bid Enclosed, Greenville Uptown Theater Phase 1 – Construction* on the outside of the mail carrier envelope.

All bids will be marked with the date and time they are received by reception staff. Bids *will* be opened and read aloud. Bids will be evaluated and a bid tabulation will be available upon request once the contract is awarded to the successful bidder.

The Redevelopment Commission reserves the right to reject any or all bids, waive any informality and award contracts that appear to be in its best interest. The right is reserved to hold any or all proposals for a period of sixty (60) days from the bid opening thereof.

From the date of this advertisement until the date of opening the proposals, the plans and specifications of the proposed work and/or a complete description of the apparatus, supplies, materials or equipment are and will continue to be on file in the office of the City of Greenville Purchasing Manager, 201 W. 5<sup>th</sup> Street, Greenville, NC 27834, during regular business hours, and available to prospective bidders. Inquiries should be directed to the Purchasing Manager at the above address --- Telephone (252) 329-4462. Minority/Women owned business are encouraged to submit proposals.

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*Angelene Brinkley, Purchasing Manager  
City of Greenville  
201 W. 5<sup>th</sup> Street  
Greenville, NC 27834*

## INSTRUCTIONS TO BIDDERS

**Proposal to Provide  
Greenville Uptown Theater Phase 1 - Construction  
Location: Former State Theater  
110 W. 5<sup>th</sup> Street, Greenville N.C.**

1. **Contractor is to provide verification to the Commission that the company's employees are covered under worker's compensation insurance coverage.**
2. **It is expressly understood by the contractor offering a proposal after a written notice of award by the Commission, a written contract will be required to be executed and will serve together with this proposal, these instructions, and any detailed specifications as the entire form of contract between the parties.**
3. **Each Contractor submitting a proposal is affirming that no official or employee of the City or Commission is directly or indirectly interested in this proposal for any reason of personal gain.**
4. **Sales taxes may be listed on the proposal, but as a separate item. No charge will be allowed for Federal Excise and Transportation Tax from which the City is exempt.**
5. **If the Contractor is unable to provide a proposal for any reason, please send a letter of explanation.**
6. **Questions regarding any procedure for submission of a proposal for the GREENVILLE UPTOWN THEATER PHASE 1 – CONSTRUCTION shall be directed by email to Devin Thompson, Buildings and Grounds Supervisor, @ dthompson@greenvillenc.gov.**
7. **By submitting a proposal for GREENVILLE UPTOWN THEATER PHASE 1 - CONSTRUCTION, the Contractor attests that it is in compliance with all items listed in the bid/proposal instructions. Furthermore, the Contractor attests that the City of Greenville or the Redevelopment Commission accepts no responsibility for any injuries to the firm's employees, while on City property performing their duties.**
8. **Contractor must comply with all OSHA requirements associated with the work within this contract.**
9. **It is expected that work would begin no earlier than Thursday, February 25, 2016. However, such starting date is subject to change based on time needed to finalize bid documents.**
10. **No work will be performed at any time without proper supervision. Names and experience of supervisors shall be provided.**
11. **All work must be performed Monday – Saturday during approved hours.**
12. **The Contractor shall accompany a designated representative(s) of the City on inspections of work at any time during the contract period. The City reserves the right to make determinations as to whether service is performed satisfactorily. Deficiencies in work performance must be corrected immediately.**

**CITY OF GREENVILLE  
PUBLIC WORKS DEPARTMENT  
SPECIFICATIONS FOR  
GREENVILLE UPTOWN THEATER PHASE 1 - CONSTRUCTION**

**1.0 SCOPE:**

**The scope of work shall include, but is not limited to:**

- 1.1 Environmental decontamination**
- 1.2 Pigeon eradication**
- 1.3 Demolition of existing fly loft**
- 1.4 Interior cleaning**
- 1.5 Partial repair of main building roof framing**
- 1.6 Roofing of existing fly loft**
- 1.7 Exterior Repair for weather proofing purposes**

**This will be a turn-key project. The project time duration shall be 120 days. The time will start from the contract award and the notice to proceed and end at final approval and submission of required paperwork. Permit fees will be waived for this project but the contractor is required to obtain a building permit and have all required inspections performed per all North Carolina Building Codes.**

**All questions or concerns must be submitted in writing. Please submit all questions to: Mark Roy, RPA Engineering PA via email at [mark.roy@rpaengineering.com](mailto:mark.roy@rpaengineering.com) or fax at 252-355-2179.**

**Notes:**

- The contractor cannot close 5<sup>th</sup> Street during the hours of 8am to 5pm, Monday – Saturday, unless with owner’s approval. During any events scheduled Uptown or at the 5 Points Plaza also shall not be affected.**
- Any traffic modifying activities to occur outside of construction fencing is to be approved by the Owner.**
- Parking for contractors shall be at the parking lot at the corner of Pitt and 4<sup>th</sup> Streets.**
- All existing curbs, asphalt, stripping, brick pavers, landscaping, etc. must be protected or repaired to current conditions at the end of the project.**
- All work specified herein must be done while protecting surrounding businesses and persons from damage or injury.**

**2.0 PAYMENT AND BID:**

- 2.1 Bidders will comply with all local, state, and federal laws and ordinances governing said work including the Occupational Safety and Health Act of 1970.**
- 2.2 By submitting a proposal, the firm is attesting that they are an Equal Opportunity Employer.**
- 2.3 The City of Greenville has adopted an Affirmative Action Program. Firms submitting a proposal are attesting that they also have taken affirmative action to ensure equality of opportunity in all aspects of employment.**

**2.4 Minority and/or Women Business Enterprise (MWBE) Program**

Refer to Exhibit "B" for all Minority and/or Woman Business Enterprise requirements.

Questions regarding the City's M/WBE Program should be directed to Denisha Harris in the M/WBE Office at (252) 329-4862.

**2.5 The Commission reserves the right to reject any and all bids, to waive any informality and to accept the bid it seems most advantages to the Commission. Any bid submitted will be binding for sixty (60) days after the date of the bid opening.**

**2.6 Equal Employment Opportunity Clause**

The City has adopted an Equal Employment Opportunity Clause, which is incorporated into all specifications, purchase orders, and contracts, whereby a vendor agrees not to discriminate against any employee or applicant for employment on the basis of race, color, religion, sex, national origin or ancestry. A copy of this clause may be obtained at the City Clerk's Office, City Hall, Greenville, NC. By submitting qualifications and/or proposals, the firm is attesting that they are an Equal Opportunity Employer. Federal law (Rehabilitation Act and ADA) prohibits handicapped discrimination by all governmental units. By submitting a proposal, the vendor is attesting to its policy of nondiscrimination regarding the handicapped.

**2.7 Contractor must maintain a current City of Greenville Business license and complete a new vendor application and associated documents as required upon acceptance of this contract.**

**2.8 The contractor will develop a lump sum bid; that will include, but is not limited to all work, equipment, parts, and labor specified herein.**

**3.0 WORKERS COMPENSATION AND INSURANCE:**

**3.1 The contractor must maintain during the life of this contract, Worker's Compensation Insurance for all employees working at the project site under this contract, or as otherwise required by North Carolina General Statutes.**

**3.2 The Contractor shall have in place for the life of this contract public liability and property damage insurance and shall protect the City of Greenville and the Redevelopment Commission from claims for damage or personal injury, which may arise from operations under this contract. The amounts of such insurance shall not be less than \$500,000 for injuries subject to the same limit per person and \$1,000,000 for property damage or otherwise needed to protect the interests of the owner. The Contractor awarded this contract is to provide a Certificate of Insurance showing the City of Greenville and the Redevelopment Commission named as an additionally insured firm on all coverage. All insurance must be maintained during the duration of the contract.**

**3.3 OTHER INSURANCE:**

The contractor shall furnish such additional insurance as may be required by the General Statutes of North Carolina, including motor vehicle insurance in amounts not less than statutory limits.

**4.0 CANCELLATION:**

- 4.1 Each certificate of insurance shall bear the provision that the policy cannot be altered or canceled in less than ten (10) days after mailing written notice to the assured of such alteration or cancellation, sent registered mail.**
- 4.2 The contractor shall furnish the owner with satisfactory proof of insurance required before written approval of such insurance is granted by the owner. Executed contract documents, insurance certifications, invoices and other information requested, are to be sent to:**

*Devin Thompson, Buildings and Grounds Supervisor  
City of Greenville  
1500 Beatty Street  
Greenville, N.C. 27834  
Email: [dthompson@greenvillenc.gov](mailto:dthompson@greenvillenc.gov)*

**5.0 DAMAGE TO CONTRACTORS PROPERTY:**

- 5.1 The City of Greenville nor the Redevelopment Commission shall be under no obligation to replace or in any way compensate the contractor for fire, theft, vandalism or any other casualty, injury or damage to equipment or property belonging to the contractor while on City property.**
- 5.2 The successful bidder agrees to indemnify or hold harmless the City of Greenville from and against any liability, loss, cost, damage suit, claim, or expense arising occurrence on the part of the successful bidder to include its officers, servants, agents or employees arising from its activities, operations, and performance of services while on City property and further agrees to release and discharge the City of Greenville, its Agents and the Redevelopment Commission from all claims or liabilities arising from or caused by the successful bidder in fulfilling its obligations under this Agreement.**
- 5.3 It is understood and agreed by the parties that the City of Greenville and the Redevelopment Commission will assume no liability for damages, injury, or other loss to the successful bidder, its employees or property, tools or equipment, or to other persons or properties located on City facilities resulting from the successful bidder's activities and operations while performing those service enumerated herein. The successful bidder shall assume full and complete liability for any and all damages on City or private properties caused by or resulting from its activities, operations, and that of its employees, agents and officers.**

**6.0 ADDENDUM**

- 6.1 Addendum: Any changes to the specifications will be issued as a written addendum. No oral statements, explanations, or commitments by whosoever shall be of any effect.**
- 6.2 Amendment: The contract may be amended from time to time through written agreement by both parties.**

**7.0 LOCAL PREFERENCE POLICY**

**7.1** The City of Greenville has adopted a Local Preference Policy, Resolution No. 056-13, and a Professional and other Services Policy, Resolution No. 057-13 that will pertain to this project. For more information, please see the City of Greenville's webpage at [www.greenvillenc.gov/financialservices/purchasingdivision](http://www.greenvillenc.gov/financialservices/purchasingdivision).

**8.0 REFERENCE INFORMATION**

All bidders must provide a list of three (3) client references of similar work. The reference information must include the company's name, a contact person's name with his or her title and their telephone number. Contractor must provide the information below with their bid sheet.

1. Company name: \_\_\_\_\_

Contact person: \_\_\_\_\_

Title: \_\_\_\_\_ Phone No. \_\_\_\_\_

2. Company name: \_\_\_\_\_

Contact person: \_\_\_\_\_

Title: \_\_\_\_\_ Phone No. \_\_\_\_\_

3. Company name: \_\_\_\_\_

Contact person: \_\_\_\_\_

Title: \_\_\_\_\_ Phone No. \_\_\_\_\_

**9.0 CONTRACTOR INFORMATION**

**Contractor must provide the information below with the bid sheet.**

**CITY OF GREENVILLE  
NORTH CAROLINA  
PROSPECTIVE CONTRACTOR DATA FORM**

**Company Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Mobile Phone Number:** \_\_\_\_\_

**Business Fax Number:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**NC General Contractors License#** \_\_\_\_\_

**Corporation or Partnership:** \_\_\_\_\_

**Number of Years in Business:** \_\_\_\_\_



**CITY OF GREENVILLE  
PUBLIC WORKS DEPARTMENT  
REQUEST FOR BIDS**

**In compliance with the request for bids by the City of Greenville and subject to all conditions and specifications thereof, the undersigned offers and agrees to furnish all equipment, labor and work site clean-up as provided in the above mentioned specifications. This is a turn-key project.**

**Description**

**GREENVILLE UPTOWN THEATER PHASE 1 - CONSTRUCTION**

**Lump Sum Bid Total**

**\$ \_\_\_\_\_**

**Addenda Received: \_\_\_\_\_**

**Bid reviewed, prepared and submitted by-**

**Company Name: \_\_\_\_\_**

**Signed: \_\_\_\_\_**

**Print Name: \_\_\_\_\_**

**Date: \_\_\_\_\_**

**EXHIBIT "B"**

**City of Greenville/Greenville Utilities Commission  
Minority and Women Business Enterprise (MWBE) Program**

**City of Greenville  
Construction Guidelines and Affidavits  
\$100,000 and above**

These instructions shall be included with each bid solicitation.

## City of Greenville/Greenville Utilities Commission Minority and Women Business Enterprise Program

### \$100,000 and Construction Guidelines for MWBE Participants

**Policy Statement**

It is the policy of the City of Greenville and Greenville Utilities Commission to provide minorities and women equal opportunity for participating in all aspects of the City's and Utilities' contracting and procurement programs, including but not limited to, construction projects, supplies and materials purchases, and professional and personal service contracts.

**Goals and Good Faith Efforts**

Bidders responding to this solicitation shall comply with the MWBE program by making Good Faith Efforts to achieve the following aspiration goals for participation.

	CITY	
	MBE	WBE
<b>Construction</b> This goal includes Construction Manager at Risk.	10%	6%

Bidders shall submit MWBE information with their bids on the forms provided. This information will be subject to verification by the City prior to contract award. **As of July 1, 2009, contractors, subcontractors, suppliers, service providers, or MWBE members of joint ventures intended to satisfy City MWBE goals shall be certified by the NC Office of Historically Underutilized Businesses (NC HUB) only.** Firms qualifying as "WBE" for City's goals must be designated as a "women-owned business" by the HUB Office. Firms qualifying as "MBE" for the City's goals 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. **Each goal must be met separately. Exceeding one goal does not satisfy requirements for the other.** A complete database of NC HUB certified firms may be found at <http://www.doa.nc.gov/hub/>. An internal database of firms who have expressed interest to do business with the City and GUC is available at [www.greenvillenc.gov](http://www.greenvillenc.gov). However, the HUB status of these firms must be verified by the HUB database. The City shall accept NCDOT certified firms on federally funded projects only. **Please note: A contractor may utilize any firm desired. However, for participation purposes, all MWBE vendors who wish to do business as a minority or female must be certified by NC HUB.**

The Bidder shall make good faith efforts to encourage participation of MWBEs 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 MWBE goal, they should document their good faith efforts and be prepared to submit this information, if requested.

The MWBE's listed by the Contractor on the **Identification of Minority/Women Business Participation** which are determined by the City to be certified shall perform the work and supply the materials for which they are listed unless the Contractors receive prior authorization from the City 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.

The Contractor shall enter into and supply copies of fully executed subcontracts with each MWBE 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 MWBE subcontractors.**

**\*\*\*If a change is needed in MWBE Participation, submit a Request to Change MWBE Participation Form. Good Faith Efforts to substitute with another MWBE 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 City 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 City 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 City whether to terminate the contract for breach or not. In determining whether a contractor has made Good Faith Efforts, the CITY will evaluate all efforts made by the Contractor and will determine compliance in regard to quantity, intensity, and results of these efforts.

# 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 construction subcontractors, vendors, suppliers or providers of professional services.

Firm Name, Address and Phone #	Work type	*MWBE Category

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

**If you will not be utilizing MWBE 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 (\$)\_\_\_\_\_.**

# City of Greenville 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.

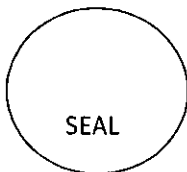
The undersigned, if apparent low bidder, will enter into a formal agreement with the firms listed in the Identification of Minority/Women Business Participation schedule conditional upon scope of contract to be executed with the Owner. Substitution of contractors must be in accordance with GS143-128.2(d) 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 \_\_\_\_\_

**City of Greenville --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

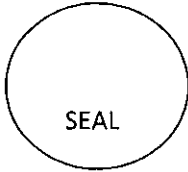
The Bidder agrees to provide any additional information or documentation requested by the owner in support of the above statement.

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 \_\_\_\_\_

# City of Greenville - AFFIDAVIT C - Portion of the Work to be Performed by MWBE 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 MWBE businesses as defined in GS143-128.2(g) and the COG/CITY MWBE Plan sec. III is equal to or greater than 16% 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 minority business enterprises and a minimum of \_\_\_\_\_% of the total dollar amount of the contract with women business enterprises. 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 required

Name and Phone Number	*MWBE Category	Work description	Dollar Value

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

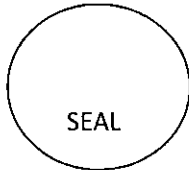
Pursuant to GS143-128.2(d), the undersigned will enter into a formal agreement with MWBE Firms for work listed in this schedule conditional upon execution of a contract with the Owner. Failure to fulfill this commitment may constitute a breach of the contract.

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 \_\_\_\_\_



## City of Greenville **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 16% 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 ID# \_\_\_\_\_ (Project Name) \_\_\_\_\_ Amount of Bid \$ \_\_\_\_\_

I will expend a minimum of \_\_\_\_\_% of the total dollar amount of the contract with minority business enterprises and a minimum of \_\_\_\_\_% of the total dollar amount of the contract with women business enterprises. 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 required)

Name and Phone Number	*MWBE Category	Work description	Dollar Value

\*Minority categories: Black, African American (**B**), Hispanic or Latino (**L**), 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

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next lowest responsible and responsive bidder.

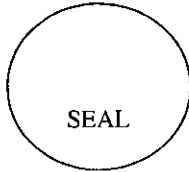
Pursuant to GS143-128.2(d), the undersigned will enter into a formal agreement with MWBE Firms for work listed in this schedule conditional upon execution of a contract with the Owner. Failure to fulfill this commitment may constitute a breach of the contract.

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 MWBE Subcontractor Performance

**Please submit this form or executed subcontracts with MWBE 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 MWBE 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:

Work/Materials/Service Provided	Dollar Amount of Contract	Projected Start Date	Projected End Date

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Name & Phone No. of MWBE Firm)

\_\_\_\_\_  
(Name & Title of Authorized Representative of MWBE)

\_\_\_\_\_  
(Signature of Authorized Representative of MWBE)

## REQUEST TO CHANGE MWBE 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:** \_\_\_\_\_

**Good or service 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 MWBE 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 MWBE 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 \_\_\_\_\_

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Pay Application No. _____ Purchase Order No. _____
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## Proof of Payment Certification

MWBE 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

Firm Name	MWBE Category*	Total Amount Paid from this Pay Request	Total Contract Amount (including changes)	Total Amount Remaining

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

Date: \_\_\_\_\_ Certified By: \_\_\_\_\_

Name

Title

Signature

