

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: February 17, 2021

SUBJECT: Public Safety Training Facility Blue Ridge Community College

PRESENTER: David Berry, Capital Projects Manager
John Mitchell, Business and Community Development Director

ATTACHMENTS: (1) Bid Tabulation
(2) Form of Proposal – Cooper Construction

SUMMARY OF REQUEST:

Blue Ridge Community College received authorization in the FY 20/21 Budget to build a Police Safety Training Facility (POPAT) at a cost not to exceed \$1,000,000.

Following North Carolina General Statutes, the project was publicly bid. Bids were received on December 15th, 2020. Cooper Construction was the lowest apparent responsible bidder, at a base bid cost of \$1,177,000.

The Blue Ridge Community College Foundation has allocated \$200,000 to the project to account for the difference in cost.

Staff will discuss the project and seek direction from the Board.

BOARD ACTION REQUESTED:

Approve/Reject the proposal from Cooper Construction.

Suggested Motion:

I move that Board accept/reject the proposal.

**BID TABULATION -SINGLE PRIME**

CLARK NEXSEN

Date of Bids: December 15, 2020

Time of Bids: 3:00pm

Project: BRCC Public Safety Training Facility

Owner: Henderson County

Project #: 5199-L

NAME OF BIDDER	LICENSE #	BID BOND CERTIFIED	UNIT PRICES	MBE	ADDENDA	
BEAM Construction Co., Inc.	Y	Y	Y	Y	Addendum #1	BASE BID \$1,314,900.00
					Addendum #2	ALT NO A-1 \$0.00
						ALT NO A-2 \$16,180.00
						ALT NO A-3 \$0.00
Plumbing Subcontractor		Bolton, 01042			ALT NO A-4 \$2,390.00	
Mechanical Subcontractor		Rutherford Heating and Air, 16710			ALT NO F-1 \$0.00	
Electrical Subcontractor		Connolly Springs Elec, 22167			ALT NO M-1 \$0.00	
					ALT NO E-1 \$0.00	
TOTAL SUM						\$1,333,470.00

**BID TABULATION -SINGLE PRIME****CLARK NEXSEN****Date of Bids: December 15, 2020****Time of Bids: 3:00pm****Project: BRCC Public Safety Training Facility**

Owner: Henderson County

Project #: 5199-L

NAME OF BIDDER	LICENSE #	BID BOND CERTIFIED	UNIT PRICES	MBE	ADDENDA	
Frank L. Blum Construction Company	Y	Y	Y	Y	Addendum #1	BASE BID \$1,338,000.00
					Addendum #2	ALT NO A-1 \$0.00
						ALT NO A-2 \$6,800.00
						ALT NO A-3 \$0.00
Plumbing Subcontractor					ALT NO A-4 \$2,175.00	
Mechanical Subcontractor					ALT NO F-1 \$3,750.00	
Electrical Subcontractor					ALT NO M-1 \$0.00	
					ALT NO E-1 \$0.00	
TOTAL SUM						\$1,350,725.00



CLARK NEXSEN

BID TABULATION -SINGLE PRIME

Project: BRCC Public Safety Training Facility
 Owner: Henderson County
 Project #: 5199-L
Date of Bids: December 15, 2020
Time of Bids: 3:00pm

NAME OF BIDDER	LICENSE #	BID BOND CERTIFIED	UNIT PRICES	MBE	ADDENDA		TOTAL
					Addendum #1	Addendum #2	
Carolina Specialties Construction, LLC	Y	Y	Y	Y	Addendum #1	Y	BASE BID \$1,428,226.00
					Addendum #2	Y	ALT NO A-1 \$0.00
							ALT NO A-2 \$14,500.00
							ALT NO A-3 \$0.00
Plumbing Subcontractor		Bolton, 01042					ALT NO A-4 \$1,250.00
Mechanical Subcontractor		Gentry Heating and Air, 22305					ALT NO F-1 \$5,450.00
Electrical Subcontractor		Grigg Electric, 6307-U					ALT NO M-1 \$0.00
							ALT NO E-1 \$0.00
TOTAL SUM							\$1,449,426.00

**BID TABULATION -SINGLE PRIME****CLARK NEXSEN**

Date of Bids: December 15, 2020

Time of Bids: 3:00pm

Project: BRCC Public Safety Training Facility

Owner: Henderson County

Project #: 5199-L

NAME OF BIDDER	LICENSE #	BID BOND CERTIFIED	UNIT PRICES	MBE	ADDENDA	
Cooper Construction Co, Inc.	Y	Y	Y	Y	Addendum #1	BASE BID \$1,177,000.00
					Addendum #2	ALT NO A-1 \$0.00
						ALT NO A-2 \$7,900.00
						ALT NO A-3 \$1,200.00
Plumbing Subcontractor					ALT NO A-4 \$4,300.00	
Mechanical Subcontractor					ALT NO F-1 \$14,700.00	
Electrical Subcontractor	Carolina Electric, 33634				ALT NO M-1	\$0.00
					ALT NO E-1	\$0.00
TOTAL SUM						\$1,205,100.00



BID TABULATION -SINGLE PRIME

CLARK NEXSEN

Date of Bids: December 15, 2020

Time of Bids: 3:00pm

Project: BRCC Public Safety Training Facility

Owner: Henderson County

Project #: 5199-L

NAME OF BIDDER	LICENSE #	BID BOND CERTIFIED	UNIT PRICES	MBE	ADDENDA	
H&M Constructors, a Division of M.B. Haynes Corp.	Y	Y	Y	Y	Addendum #1	BASE BID \$1,440,000.00
					Addendum #2	ALT NO A-1 \$0.00
						ALT NO A-2 \$10,500.00
						ALT NO A-3 \$0.00
Plumbing Subcontractor					ALT NO A-4 \$2,500.00	
Mechanical Subcontractor					ALT NO F-1 \$0.00	
Electrical Subcontractor					ALT NO M-1 \$0.00	
					ALT NO E-1 \$0.00	
TOTAL SUM						\$1,453,000.00

**BID TABULATION -SINGLE PRIME****CLARK NEXSEN**

Date of Bids: December 15, 2020

Time of Bids: 3:00pm

Project: BRCC Public Safety Training Facility

Owner: Henderson County

Project #: 5199-L

NAME OF BIDDER	LICENSE #	BID BOND CERTIFIED	UNIT PRICES	MBE	ADDENDA		TOTAL
					Addendum #1	Addendum #2	
James R. Vannoy & Sons Construction Co., Inc.	Y	Y	Y	Y			BASE BID \$1,310,591.00
							ALT NO A-1 \$0.00
							ALT NO A-2 \$18,285.00
							ALT NO A-3 \$0.00
Plumbing Subcontractor		Bolton, 01042					ALT NO A-4 \$2,243.00
Mechanical Subcontractor		LKN Mechanical, 28872					ALT NO F-1 \$5,313.00
Electrical Subcontractor		Grigg Electric, 6307-U					ALT NO M-1 \$9,913.00
							ALT NO E-1 \$0.00
TOTAL SUM							\$1,346,345.00

BID TABULATION - SINGLE PRIME



CLARK NEXSEN

Project: BRCC Public Safety Training Facility
Owner: Henderson County
Project #: 5199-L

Date of Bids: December 15, 2020
Time of Bids: 3:00pm

Certified as Read:

David M. Lancor, AIA

12/23/2020

Date

FORM OF PROPOSAL

BRCC Public Safety Training Facility
Henderson County

Contract: Single Prime
Bidder: Cooper Construction Co., Inc.
Date: December 15, 2020

The undersigned, as bidder, hereby declares that the only person or persons interested in this proposal as principal or principals is or are named herein and that no other person than herein mentioned has any interest in this proposal or in the contract to be entered into; that this proposal is made without connection with any other person, company or parties making a bid or proposal; and that it is in all respects fair and in good faith without collusion or fraud. The bidder further declares that he has examined the site of the work and the contract documents relative thereto, and has read all special provisions furnished prior to the opening of bids; that he has satisfied himself relative to the work to be performed. The bidder further declares that he and his subcontractors have fully complied with NCGS 64, Article 2 in regards to E-Verification as required by Section 2.(c) of Session Law 2013-418, codified as N.C. Gen. Stat. § 143-129(j).

The Bidder proposes and agrees if this proposal is accepted to contract with

Henderson County

in the form of contract specified below, to furnish all necessary materials, equipment, machinery, tools, apparatus, means of transportation and labor necessary to complete the construction of

the BRCC Public Safety Training Facility

in full in complete accordance with the plans, specifications and contract documents, to the full and entire satisfaction of the State of North Carolina, and

Henderson County and Clark Nexsen

with a definite understanding that no money will be allowed for extra work except as set forth in the General Conditions and the contract documents, for the sum of:

SINGLE PRIME CONTRACT:

Base Bid: ONE MILLION ONE HUNDRED SEVENTY SEVEN THOUSAND & 00/100 Dollars (\$) 1,177,000.

General Subcontractor:

COOPER Lic 4763

Plumbing Subcontractor:

BOLTON CONST. & SERVICE Lic 01042 PH 1243

Mechanical Subcontractor:

RUTHERFORD HEATING Lic 16710

Electrical Subcontractor:

CAROLINA ELECTRIC Lic 33634

GS143-128(d) requires all single prime bidders to identify their subcontractors for the above subdivisions of work. A contractor whose bid is accepted shall not substitute any person as subcontractor in the place of the subcontractor listed in the original bid, except (i) if the listed subcontractor's bid is later determined by the contractor to be non-responsible or non-responsive or the listed subcontractor refuses to enter into a contract for the complete performance of the bid work, or (ii) with the approval of the awarding authority for good cause shown by the contractor.

ALTERNATES:

Should any of the alternates as described in the contract documents be accepted, the amount written below shall be the amount to be "added to" or "deducted from" the base bid. (Strike out "Add" or "Deduct" as appropriate.)

GENERAL CONTRACT:

Alternate No. A-1 "Owner preferred Alternate: Hardware"

(Add) NO CHANGE Dollars(\$) - 0 -

Alternate No. A-2 "Polished Concrete Flooring"

(Add) SEVEN THOUSAND NINE HUNDRED + 00/100 Dollars(\$) 7,900.-

Alternate No. A-3 "Owner Preferred Alternate: Panel Signage"

(Add) ONE THOUSAND TWO HUNDRED + 00/100 Dollars(\$) 1,200.-

Alternate No. A-4 "Snow Guards"

(Add) FOUR THOUSAND THREE HUNDRED + 00/100 Dollars(\$) 4,300.-

Alternate No. F-1 "Owner preferred Alternate: Fire Alarm System"

(Add) FOURTEEN THOUSAND SEVEN HUNDRED + 00/100 Dollars(\$) 14,700.-

Alternate No. M-1 "Owner preferred Alternate: DDC Controls"

(Add) NO CHANGE Dollars(\$) - 0 -

Alternate No. E-1 "IBEC"

(Add) (Deduct) Zero Dollars(\$) 0

UNIT PRICES

Unit prices quoted and accepted shall apply throughout the life of the contract, except as otherwise specifically noted. Unit prices shall be applied, as appropriate, to compute the total value of changes in the base bid quantity of the work all in accordance with the contract documents.

Unit Price No. 1 – Unsuitable soils excavation in cubic yards	CY	Unit Price (\$)	<u>19.50</u>
Unit Price No. 2 – Replacement of Unsuitable soils in cubic yards	CY	Unit Price (\$)	<u>27.-</u>
Unit Price No. 3 – BX1100 Geogrid in square yards	SY	Unit Price (\$)	<u>3.20</u>
Unit Price No. 4 – 12" deep compacted stone in cubic yards	CY	Unit Price (\$)	<u>39.-</u>
Unit Price No. 5 – Add/Delete Exit Sign	Each	Unit Price (\$)	<u>217.-</u>
Unit Price No. 6 – Add/Delete Fire Alarm Audio/Visual Device	Each	Unit Price (\$)	<u>251.-</u>
Unit Price No. 7 – Add/Delete Fire Alarm Pull Station	Each	Unit Price (\$)	<u>266.-</u>
Unit Price No. 8 – Add/Delete Smoke Detector	Each	Unit Price (\$)	<u>232.-</u>
Unit Price No. 9 – Add/Delete 120v Receptacle	Each	Unit Price (\$)	<u>54.-</u>
Unit Price No. 10 – Removal and Replacment of existing Concrete Pavement	SY	Unit Price (\$)	<u>188.-</u>

MINORITY BUSINESS PARTICIPATION REQUIREMENTS

Provide with the bid - Under GS 143-128.2(c) the undersigned bidder shall identify **on its bid** (Identification of Minority Business Participation Form) the minority businesses that it will use on the project with the total dollar value of the bids that will be performed by the minority businesses. **Also** list the good faith efforts (Affidavit A) made to solicit minority participation in the bid effort.

NOTE: A contractor that performs all of the work with its own workforce may submit an Affidavit (B) to that effect in lieu of Affidavit (A) required above. The MB Participation Form must still be submitted even if there is zero participation.

After the bid opening - The Owner will consider all bids and alternates and determine the lowest responsible, responsive bidder. Upon notification of being the apparent low bidder, the bidder shall then file within 72 hours of the notification of being the apparent lowest bidder, the following:

An Affidavit (C) that includes a description of the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, which is equal to or more than the 10% goal established. This affidavit shall give rise to the presumption that the bidder has made the required good faith effort and Affidavit D is not necessary;

*** OR ***

If less than the 10% goal, Affidavit (D) of its good faith effort to meet the goal shall be provided. The document must include evidence of all good faith efforts that were implemented, including any advertisements, solicitations and other specific actions demonstrating recruitment and selection of minority businesses for participation in the contract.

Note: Bidders must always submit **with their bid** the Identification of Minority Business Participation Form listing all MB contractors, vendors and suppliers that will be used. If there is no MB participation, then enter none or zero on the form. Affidavit A or Affidavit B, as applicable, also must be submitted with the bid. Failure to file a required affidavit or documentation with the bid or after being notified apparent low bidder is grounds for rejection of the bid.

Proposal Signature Page

The undersigned further agrees that in the case of failure on his part to execute the said contract and the bonds within ten (10) consecutive calendar days after being given written notice of the award of contract, the certified check, cash or bid bond accompanying this bid shall be paid into the funds of the owner's account set aside for the project, as liquidated damages for such failure; otherwise the certified check, cash or bid bond accompanying this proposal shall be returned to the undersigned.


Respectfully submitted this day of Fifteenth day of December, 2020

Cooper Construction Company, Inc.

(Name of firm or corporation making bid)

WITNESS:

(Proprietorship or Partnership)

By: 
Signature

Name: Thomas L. Cooper
Print or type

Title: President/CEO
(Owner/Partner/Pres./V.Pres)

Address: 761 S. Allen Rd.

Flat Rock, NC 28731

License No. 4763

Federal I.D. No. 56-0895228

Email Address: jmay@cooperconst.com

ATTEST:

By: 
Kelly C. Ford

Title: Treasurer/CFO - Asst. Corp. Sec.
(Corp. Sec. or Asst. Sec. only)

(CORPORATE SEAL)

Addendum received and used in computing bid:

Addendum No. 1 12/7/20 Addendum No. 2 12/9/20 Addendum No. 3 _____ Addendum No. 4 _____

Bid Bond

Bond No. Bid bond

CONTRACTOR:

(Name, legal status and address)

Cooper Construction Company, Inc.
PO Box 806
Hendersonville, NC 28793

SURETY: Western Surety Company: South Dakota Corporation

(Name, legal status and principal place of business)

151 N. Franklin Street
17th Floor
Chicago, IL 60606

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

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

OWNER:

(Name, legal status and address)

Henderson County
100 North King Street
Hendersonville, NC 28792

BOND AMOUNT: 5% of the attached bid dollard

PROJECT:

(Name, location or address, and Project number, if any)

Public Safety Training Facility at Blue Ridge Community College

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.


When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 15th day of December, 2020.


(Witness) Attest: Kelly C. Ford
Treasurer/CEO - Asst. Corp. Sec.

Cooper Construction Company, Inc.
(Principal)  (Seal)
(Title) Thomas L. Cooper (President/CEO)


(Witness)

Western Surety Company
(Surety)  (Seal)
(Title) David Brett Shaffer, Attorney-in-Fact

Bid Bond

Instructions

GENERAL INFORMATION

Purpose. AIA Document A310—2010 establishes the maximum penal amount that may be due the Owner if the Bidder fails to execute the contract and to provide the required performance and payment bonds, if any. It provides assurance that, if a bidder is offered a contract based on its tendered proposal but fails to enter into the contract, the Owner will be paid the difference in cost to award the contract to the next qualified bidder, so long as the difference does not exceed the maximum penal amount of the bond.

Related Documents. A310 is not incorporated by reference into other AIA documents. For further reference on bonding procedures, see AIA Document A701™—1997, Instructions to Bidders; and AIA Document G612™—2001, Owner's Instructions to Architect.

Use of Non-AIA Forms. AIA Document A310 may be used with any appropriate AIA or non-AIA document. CAUTION SHOULD BE EXERCISED BEFORE ITS USE TO VERIFY ITS COMPLIANCE WITH CURRENT LAWS AND REGULATIONS BY CONSULTING WITH AN ATTORNEY OR A BOND SPECIALIST.

USING A310—2010

Modifications. Particularly with respect to professional or contractor licensing laws, building codes, taxes, monetary and interest charges, arbitration, indemnification, format and font size, AIA Contract Documents may require modification to comply with state or local laws. Users are encouraged to consult an attorney before completing or modifying a document.

In a purchased paper AIA Contract Document, necessary modifications may be accomplished by writing or typing the appropriate terms in the blank spaces provided on the document, or by attaching Supplementary Conditions, special conditions or referenced amendments.

Modifications directly to purchased paper AIA Contract Documents may also be achieved by striking out language. However, care must be taken in making these kinds of deletions. Under NO circumstances should standard language be struck out to render it illegible. For example, users should not apply blocking tape, correction fluid or Xs that would completely obscure text. Such practices may raise suspicion of fraudulent concealment, or suggest that the completed and signed document has been tampered with. Both parties should initial handwritten changes.

Using AIA software, modifications to insert information and revise the standard AIA text may be made as the software permits.

By reviewing properly made modifications to a standard AIA Contract Document, parties familiar with that document can quickly understand the essence of the proposed relationship. Commercial exchanges are greatly simplified and expedited, good faith dealing is encouraged, and otherwise latent clauses are exposed for scrutiny.

AIA Contract Documents may not be retyped or electronically scanned. Retyping can introduce typographic errors and cloud legal interpretation given to a standard clause. Furthermore, retyping and electronic scanning are not permitted under the user's limited license for use of the document, constitute the creation of a derivative work and violate the AIA's copyright.

Identification of the Parties. The Contractor, the Surety, and the Owner should be identified using their respective full names and addresses or legal titles under which the bond is to be executed. The state in which the Surety is incorporated also should be identified in the space provided.

Bond Amount. The dollar amount of the bond should be provided in both written and numerical form.

Project Description. The proposed project should be described in sufficient detail to identify (1) the official name or title of the facility; (2) the location of the site; (3) the proposed building type, size, scope or usage; and (4) the project number required by the owner, if any. A project number may be required by certain public owners to adequately identify the project to which the bond pertains.

Execution of the Bond. The bond must be signed by both the Contractor and the Surety. The parties executing (signing) the bond should print their title and impress their corporate seal, if any. Where appropriate, attach a copy of the resolution or bylaw authorizing the individual to act on behalf of the firm or entity. As to the Surety, this usually takes the form of a power of attorney issued by the Surety company to the bond producer (agent) who signs on its behalf.

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

David G Shaffer, Joyce C Biddix, Jennifer L Gordon, Amy M Tayler, David Brett Shaffer, Individually

of Hendersonville, NC, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 6th day of February, 2020.



WESTERN SURETY COMPANY

Paul T. Bruflat
Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 6th day of February, 2020, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

June 23, 2021



J. Mohr
J. Mohr, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 15th day of December, 2020.



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary

Identification of HUB Certified/ Minority Business Participation

I, Cooper Construction Company, Inc.
(Name of Bidder)

do hereby certify that on this project, we will use the following HUB Certified/ minority business as construction subcontractors, vendors, suppliers or providers of professional services.

Firm Name, Address and Phone #

Work Type

*Minority Category

**HUB Certified (Y/N)

Firm Name, Address and Phone #	Work Type	*Minority Category	**HUB Certified (Y/N)
NOTE			

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

** HUB Certification with the state HUB Office required to be counted toward state participation goals.

The total value of minority business contracting will be (\$) 0.

State of North Carolina AFFIDAVIT A – Listing of Good Faith Efforts

County of Henderson

Affidavit of Cooper Construction Company, Inc. (Name of Bidder)

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

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

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

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

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

Date: 12/16/20 Name of Authorized Officer: Kerry C. Ford
Signature: [Signature]
Title: Treasurer/CEO



BOBBY S. JONES State of North Carolina, County of Buncombe
Notary Public
Subscribed and sworn to before me this 14 day of December 2020
Notary Public Bobby S. Jones
My commission expires 3/15/2025