



September 30, 2022

Mr. Daniel Edwards
Senior Capital Projects Manager
Town of Apex
73 Hunter Street
Apex, NC 27502

**RE: Phase 1 Renovations, Public Works Operations Building
Town of Apex
CRA Project #2122**

Dear Mr. Edwards:

We recommend pursuing a contract award with Hamlett Associates, Inc., of Climax, North Carolina, pending due diligence, for the Town of Apex’s Public Works Operations Building Phase 1 Renovation project. They are the apparent low bidder based on the base bid and additive alternates below.

Base Bid	\$1,062,596.00
<u>Alternate #1 – Preferred Brand for Door Hardware</u>	<u>\$ 0.00</u>
Total of Contract Award	<u>\$1,062,596.00</u>

We have subsequently reviewed their Form of Proposal and it appears to be in good order.

If you need anything further regarding the information presented above, please contact me.

Sincerely,

David M. Taylor, AIA, LEED AP

FORM OF PROPOSAL

Town of Apex _____
Phase I Renovation _____
Public Works Operations Building _____

Contract: Single-Prime General Construction
Bidder: HAMMETT ASSOCIATES INC
Date: 9-29-22

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 the

Town of Apex

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

Phase I Renovation – Public Works Operations Building

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

Town of Apex and CRA Associates, Inc.

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:

^{TWO}
ONE MILLION SIXTY-THOUSAND FIVE HUNDRED Dollars (\$) 1,062,596
NINETY SIX

Plumbing Subcontractor:

EARNHARDT

Lic 0404SP1

Mechanical Subcontractor:

JR MECHANICAL

Lic 24033

Electrical Subcontractor:

ELROD ELEC.

Lic U10280

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.

The bidder further proposes and agrees hereby to commence work under this contract on a date to be specified in a written order of the designer and shall fully complete all work thereunder within the time specified in the Contract Documents. Applicable liquidated damages amount is also stated in the Contract Documents.

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. #1 Preferred Brand Alternate for Door Hardware

1. Base bid: Provide rough-in, infrastructure, and complete door hardware by acceptable manufacturers as indicated in Section 08 71 00.
2. Alternate G-1: To include the total cost of all labor, materials, and equipment required to provide rough-in, infrastructure, and complete door hardware by owner-preferred brand manufacturers as scheduled in Section 08 71 00.

~~(Add)~~ ZERO Dollars(\$) 0.06

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 9-29-22

HAMILTT ASSOCIATES INC.
(Name of firm or corporation making bid)

WITNESS:
Signature

By: Michael Craig

Name:
(Proprietorship or Partnership)

Michael Craig
Print or type

Title President-owner
(Owner/Partner/Pres./V.Pres)

Address 3704 Security Mills Rd. Climax, NC 27233

ATTEST:

By: Secretary-owner

License No. #9628

Title: Yvonne E. Smith
(Corp. Sec. or Asst. Sec. only)

Federal I.D. No. 56-1195076

Email Address: Michael@hamlitta.com

(CORPORATE SEAL)

Addendum received and used in computing bid:

Addendum No. 1 56 Addendum No. 3 _____ Addendum No. 5 _____ Addendum No. 7 _____
Addendum No. 2 56 Addendum No. 4 _____ Addendum No. 6 _____ Addendum No. 8 _____

FORM OF BID BOND

KNOW ALL MEN BY THESE PRESENTS THAT Hamlett Associates, Inc. as principal, and The Cincinnati Insurance Company, as surety, who is duly licensed to act as surety in North Carolina, are held and firmly bound unto the Town of Apex through Five Percent (5%) of Amount Bid DOLLARS, lawful money of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Signed, sealed and dated this 29th ^{September} day of 20 22

WHEREAS, the said principal is herewith submitting proposal for Phase 1 Renovations - Public Works Operations Building and the principal desires to file this bid bond in lieu of making the cash deposit as required by G.S. 143-129.

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION is such, that if the principal shall be awarded the contract for which the bid is submitted and shall execute the contract and give bond for the faithful performance thereof within ten days after the award of same to the principal, then this obligation shall be null and void; but if the principal fails to so execute such contract and give performance bond as required by G.S. 143-129, the surety shall, upon demand, forthwith pay to the obligee the amount set forth in the first paragraph hereof. Provided further, that the bid may be withdrawn as provided by G.S. 143-129.1

Principal: Hamlett Associates, Inc.
By: M. Keith Casey (SEAL)

_____(SEAL)

_____(SEAL)

_____(SEAL)

Surety: The Cincinnati Insurance Company
By: Anne Baker (SEAL)
Anne Baker, Attorney-in-Fact

THE CINCINNATI INSURANCE COMPANY
THE CINCINNATI CASUALTY COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY and THE CINCINNATI CASUALTY COMPANY, corporations organized under the laws of the State of Ohio, and having their principal offices in the City of Fairfield, Ohio (herein collectively called the "Companies"), do hereby constitute and appoint

John R. Haldeman Jr.; Anne Baker; James P. Lowrey; Rose Magee; Jennifer Underhill and/or Michele Wood

of Greensboro, Wilmington, High Point, Charlotte & Raleigh, NC their true and legal Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and deliver on behalf of the Companies as Surety, any and all bonds, policies, undertakings or other like instruments, as follows:

Any such obligations in the United States, up to
Thirty Five Million and No/100 Dollars (\$35,000,000.00).

This appointment is made under and by authority of the following resolutions adopted by the Boards of Directors of The Cincinnati Insurance Company and The Cincinnati Casualty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the President or any Senior Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company.

RESOLVED, that the signature of the President or any Senior Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Vice-President and the Seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS WHEREOF, the Companies have caused these presents to be sealed with their corporate seals, duly attested by their President or any Senior Vice President this 16th day of March, 2021.



STATE OF OHIO)SS:
COUNTY OF BUTLER)

THE CINCINNATI INSURANCE COMPANY
THE CINCINNATI CASUALTY COMPANY

Stephen A. Justice

On this 16th day of March, 2021 before me came the above-named President or Senior Vice President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, to me personally known to be the officer described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of said Companies and the corporate seals and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporations.



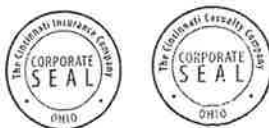
Keith Collett

Keith Collett, Attorney at Law
Notary Public – State of Ohio

My commission has no expiration date.
Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Vice-President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, hereby certify that the above is the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Power of Attorney is still in full force and effect.

Given under my hand and seal of said Companies at Fairfield, Ohio, this 29th day of September, 2022



Ed H

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

County of Guilford

Affidavit of HAMLETT ASSOCIATES LLC. (Name of Bidder)

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

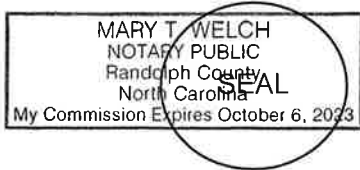
Bidders must earn at least 50 points from the good faith efforts listed for their bid to be considered responsive. (1 NC Administrative Code 30 I.0101)

- 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: 9/28/22 Name of Authorized Officer: Michael Craig
Signature: Michael Craig
Title: President



State of NC, County of Guilford
Subscribed and sworn to before me this 28 day of September 2022
Notary Public Mary T. Welch
My commission expires October 6, 2023

State of North Carolina AFFIDAVIT D – Good Faith Efforts

County of Wake

(Note this form is to be submitted only by the apparent lowest responsible, responsive bidder.)

If the goal of 10% participation by HUB Certified/ minority business **is not** achieved, the Bidder shall provide the following documentation to the Owner of his good faith efforts:

Affidavit of Hamblott Associates, Inc. I do hereby certify that on the
(Name of Bidder)
Town of Apex Public Works Opt. Building
(Project Name)
 Project ID# CRA # 2122 Amount of Bid \$ 1,062,596.00

I will expend a minimum of _____% of the total dollar amount of the contract with HUB certified/ minority business enterprises. Minority 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	*Minority Category	**HUB Certified Y/N	Work Description	Dollar Value
<u>Elrod Electrical 336-7280</u>	<u>W</u>	<u>Y</u>	<u>Electrical</u>	<u>83,200.00</u>
<u>Div 10 Construction Sp 919-661-1101</u>	<u>W</u>	<u>Y</u>	<u>Tolt Partitions</u>	<u>8,075.00</u>

*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.

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

- A. Copies of solicitations for quotes to at least three (3) minority business firms from the source list provided by the State for each subcontract to be let under this contract (if 3 or more firms are shown on the source list). Each solicitation shall contain a specific description of the work to be subcontracted, location where bid documents can be reviewed, representative of the Prime Bidder to contact, and location, date and time when quotes must be received.
- B. Copies of quotes or responses received from each firm responding to the solicitation.
- C. A telephone log of follow-up calls to each firm sent a solicitation.
- D. For subcontracts where a minority business firm is not considered the lowest responsible sub-bidder, copies of quotes received from all firms submitting quotes for that particular subcontract.
- E. Documentation of any contacts or correspondence to minority business, community, or contractor organizations in an attempt to meet the goal.
- F. Copy of pre-bid roster
- G. Letter documenting efforts to provide assistance in obtaining required bonding or insurance for minority business.
- H. Letter detailing reasons for rejection of minority business due to lack of qualification.
- I. Letter documenting proposed assistance offered to minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letter of credit, including waiving credit that is ordinarily required.

Failure to provide the documentation as listed in these provisions may result in rejection of the bid and award to the next lowest responsible and responsive bidder.

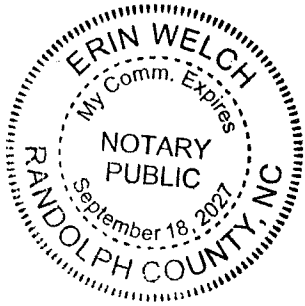
Pursuant to GS143-128.2(d), the undersigned will enter into a formal agreement with Minority Firms for work listed in this schedule conditional upon execution of a contract with the Owner. Failure to fulfill this commitment may constitute a breach of the contract.

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: 10-7-22 Name of Authorized Officer: Daniel Hall
Signature: [Signature]
Title: VICE - PRESIDENT



State of North Carolina, County of Guilford
Subscribed and sworn to before me this 7 day of October 2022
Notary Public [Signature]
My commission expires Sept. 18, 2027



IRAN DIVESTMENT ACT CERTIFICATION

Vendor/Contractor Name: Hamlett Associates, Inc.

**IRAN DIVESTMENT ACT CERTIFICATION
REQUIRED BY N.C.G.S. 147-86.59**

As of the date listed below, the entity listed above is not listed on the Final Divestment List created by the State Treasurer pursuant to N.C.G.S. 147-86.58.

The undersigned hereby certifies that he/she is authorized by the entity listed above to make the foregoing statement



Signature

October 6, 2022

Date

~~Michael Craig~~ DANIEL HALL

Printed Name

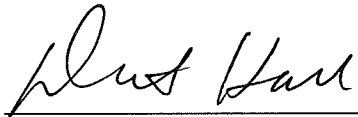
V. President/ Owner

Printed Title

E-VERIFY ADDENDUM

CONTRACTOR/VENDOR agrees that it shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if CONTRACTOR/VENDOR utilizes a subcontractor, CONTRACTOR/VENDOR agrees that it shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes.

Dated this the 6th day of October, 2022.



Contractor/Vendor

V. President/ Owner

Title

**Bid Tabulation for the Phase 1 Renovations, Public Works Operations Building
Town of Apex**

CRA Project No. 2122

Bids Received: September 29, 2022

Single-Prime General Contractors	Lic. #	Bid Bond	MBE	Add. Ackd.	Base Bid	Alternate #1 Preferred Door Hardware
BAR Construction	7973	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$1,148,000.00	\$0.00
Hamlett Associates	9628	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$1,062,596.00	\$0.00
Riggs-Harrod Builders	18667	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$1,304,790.00	\$0.00
D. W. Ward Construction	7244	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	\$1,082,208.00	\$1,500.00

Bids as shown above, received at 2:00 pm, Thursday, September 29, 2022, have been checked, validated and are hereby certified as correct.



David M. Taylor, AIA, LEED AP

