

**Resolution #23-0498
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**RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR
OLD SALISBURY ROAD REPAIR**

WHEREAS, after proper advertisement, bids were received and publicly opened by City/County Purchasing at 2:00 p.m. on Thursday, September 28, 2023, for the Old Salisbury Road Repair project and the following bids were received:

	<u>City/State</u>	<u>Total Bid</u>
Mountaineer Contractors, Inc.	Kingwood, WV	\$2,597,278.70
BW Infrastructure, LLC	Rocky Mount, VA	2,687,373.10

WHEREAS, the bid of Mountaineer Contractors, Inc. contained several math calculation and rounding errors, which after the correction of bid errors per NCDOT Article 103-2, resulted in the actual bid total being \$2,608,039.45; and

WHEREAS, the low bidder, Mountaineer Contractors, Inc., submitted subcontracting goals exceeding those established for this project of 8% minority and 5% woman-owned businesses; and

WHEREAS, it is the recommended that a contract be awarded to Mountaineer Contractors, Inc., the low bidder meeting specifications, for construction of the Old Salisbury Road Repair project for the total amount of \$2,608,039.45.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem, upon approval of the Finance Committee, that the contract for construction of the Old Salisbury Road Repair project per bid specifications is hereby awarded to Mountaineer Contractors, Inc. in the estimated total amount of \$2,608,039.45. The City Manager and City Secretary are authorized to execute the contract on behalf of the City, with contract and bond forms

Winston-Salem City Council
APPROVED
November 27, 2023

to be approved by the City Attorney and bid deposit retained until the successful bidder has provided satisfactory contract, performance and payment bonds.

BE IT FURTHER RESOLVED that the award of this contract constitutes a preliminary determination as to the qualifications of the bidder. The City is not legally bound to perform the contract until the contract is duly executed by the City. The bid deposit may be retained if the bidder fails to execute the contract or give satisfactory surety as required by N.C.G.S. 143-129.

BE IT FURTHER RESOLVED that Mountaineer Contractors, Inc. will be required to subcontract, as a minimum, 8.37% of this contract with certified minority-owned businesses and 7.18% with certified women-owned businesses as indicated on the Affidavit “C” submitted by the company.

BE IT FURTHER RESOLVED that funds have been previously appropriated and made available in the FY2023-24 budget to cover the cost of this contract.