

**RESOLUTION AWARDING CONSTRUCTION CONTRACT FOR
LEINBACH DRIVE CULVERT REPLACEMENT**

WHEREAS, after proper advertisement bids were received and publicly opened by City/County Purchasing at 2:00 p.m. on Wednesday, June 4, 2025, for construction of the Leinbach Drive Culvert Replacement, and the following bids were received:

| | <u>City/State</u> | <u>Total Bid</u> |
|---------------------------------|-------------------|------------------|
| Triangle Grading & Paving, Inc. | Burlington, NC | \$736,135.00 |
| Mountaineer Contractors, Inc. | Kingwood, WV | \$848,189.75 |
| BW Infrastructure, LLC | Rocky Mount, VA | \$1,210,185.00 |
| PDC, Inc. | Greensboro, NC | \$1,391,698.00 |

WHEREAS, the low bidder, Triangle Grading & Paving, Inc., submitted M/WBE subcontracting goals less than those established for the project, and the Internal M/WBE Committee determined that their good faith effort was not sufficient, which by City M/WBE Program policy causes their bid to become non-responsive and it cannot be considered for award; and

WHEREAS, the next bidder, Mountaineer Contractors, Inc., agreed to the M/WBE subcontracting goals established for the project of 7% with minority and 5% with woman-owned business; therefore, it is recommended that a contract be awarded to Mountaineer Contractors, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem, upon approval by the Finance Committee, that the contract for the Innovation Quarter stormwater facility rehabilitation is hereby awarded to Mountaineer Contractors, Inc. in the estimated amount of \$848,189.75. The City Manager and City Clerk are authorized to execute the contract on behalf of the City, with contract and bond forms 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 Mountaineer Contractors, Inc. will be required to subcontract, at a minimum, 8.48% with minority-owned businesses and 6.62% with women-owned businesses as indicated on the Affidavit “C” submitted by the company.

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 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 funds have been appropriated in the FY25-26 stormwater capital improvements budget to cover the cost of this contract.