



Bid Addendum

Addendum No.: 2

Project Name: American Tobacco Trail Slope Stabilization

RFB No.: 26-072

Project No.: WCT-25003

Date: July 13, 2026

Owner: County of Wake

Engineer: McAdams

Project Location: 1017 Wimberly Road, Apex, NC 27523

This addendum forms a part of the Contract Documents and modifies the Bidding Documents dated June 18, 2026, as previously amended by Addendum No. 1 dated July 8, 2026, with the amendments noted below and attached to this form. Acknowledge receipt of this Addendum in the space provided in the Bid Form. Failure to do so may disqualify the Bidder.

The Bid opening date and time is now **July 22, 2026 at 3:00 p.m.**, Wake County Procurement Services, Suite 2900, Wake County Justice Center, 301 McDowell Street, Raleigh, NC 27601.

General Listing of Changes/Clarifications:

1. Legislative Background: see Section 1 below.
2. Changes to the Project Manual: see Section 2 below (Notice to Bidders; Instructions to Bidders; General Conditions, Article 35; Bid Form).
3. Changes to Addendum No. 1: see Section 3 below (Pre-Bid Conference Meeting Minutes, Section 2.01.D; Request for Information Response No. 1).
4. Changes to the Construction Documents: N/A.

1. Legislative Background

On July 7, 2026, the North Carolina General Assembly enacted the 2026 Appropriations Act, Session Law 2026-41 (formerly Senate Bill 257) (the "Act"). Among other things, the Act, effective immediately:

- Eliminated the North Carolina Department of Administration's Office of Historically Underutilized Businesses and abolished related advisory committees (Section 22.5(a));
- Repealed N.C.G.S. §143-128.2 (minority business participation goals), N.C.G.S. §143-128.3 (minority business participation administration), N.C.G.S. §143-128.4 (historically underutilized business defined; statewide uniform certification), N.C.G.S. §143-48.4, N.C.G.S. §63A-19, and N.C.G.S. §116D-4;
- Repealed N.C.G.S. §143-131(b); and
- Repealed local acts authorizing minority- or women-owned business enterprise participation requirements, except where compliance is required by the federal government as a condition of federal grants-in-aid or loans (Section 22.5(w); see N.C.G.S. §160A-17.1(a)(3a)).



The Wake County Minority Business Enterprise Program, as incorporated into the Bidding Documents for this Project, is expressly grounded in N.C.G.S. §143-128.2(c). See Project Manual, page B-20 (“MINORITY BUSINESS PARTICIPATION REQUIREMENTS; 143.128.2.c”: “Provide with the bid - Under GS 143-128.2(c) the bidder shall identify...”). Because N.C.G.S. §143-128.2 has been repealed, the Owner no longer has statutory authority to require Bidders to meet a minority business participation goal, submit Wake County Forms MBE-1 through MBE-6, or otherwise document good faith efforts to recruit minority-owned businesses as a condition of bid responsiveness or contract compliance on this Project.

2. Modifications to the Project Manual

1. Instructions to Bidders. The Bid Opening is moved from 2:00 PM July 15, 2026 to 2:00 PM July 22, 2026. The Bid Opening location is unchanged.
2. Notice to Bidders. The following sentences are DELETED: “Wake County provides minorities and women equal opportunity to participate in all aspects of its construction program consistent with NCGS §143-8. Bidders shall comply with the requirements of the Wake County Minority Business Enterprise Program, as outlined in Section 00600 of the Project Manual.”
3. Instructions to Bidders, PROPOSALS, Item J (page B-3). The following is DELETED: “All Bidders shall submit, attached to the bid, evidence of compliance with the Owners Minority Business Enterprise Program as outlined in B-20 – B-26 of the Bidding Documents.”
4. Instructions to Bidders, REQUIREMENTS FOR DOCUMENTING MINORITY BUSINESS PARTICIPATION (pages B-3 to B-4). This section is DELETED IN ITS ENTIRETY.

Bidders are not required to submit Wake County Form MBE-1, MBE-2, MBE-3, MBE-4, MBE-5, or MBE-6 at any stage of this procurement or during contract performance.

5. Instructions to Bidders, REJECTION OF BIDS, Item H (page B-8). The following is DELETED: “If the Bidder fails to provide all documentation confirming compliance with the Wake County Minority Business Enterprise Program.”

A Bid will not be rejected, and will not be deemed non-responsive, for lack of Minority Business Enterprise Program documentation.

6. MINORITY BUSINESS PARTICIPATION REQUIREMENTS; 143.128.2.c (pages B-20 through B-26, including Wake County Forms MBE-1 through MBE-6). This section, and all forms referenced within it, are DELETED IN THEIR ENTIRETY and shall be disregarded for purposes of this procurement.
7. General Conditions, ARTICLE 35, MINORITY BUSINESS ENTERPRISE PROGRAM, § 35.1 (page 00700-48). This Article is DELETED IN ITS ENTIRETY.
8. Bid Form. To the extent Wake County Form MBE-1 is incorporated into or attached to the Bid Form, completion and submission of that form is NOT required. A Bidder's Bid will not be considered incomplete, non-responsive, or otherwise deficient for leaving Form MBE-1 blank or omitting it from the Bid submission.



9. All other terms, conditions, specifications, and requirements of the Project Manual not expressly modified by this Addendum REMAIN UNCHANGED and in full force and effect.

3. Modifications to Addendum No. 1

1. Pre-Bid Conference Meeting Minutes, Section 2.01.D (Diverse Business Participation Program). This item, which stated “follow requirements in the bidding documents. Need to include Wake County Form MBE-1 and either Form MBE-2 or Form MBE-3,” is SUPERSEDED and no longer applicable.
2. Request for Information Response No. 1 (confirming a 10% minority participation goal and identifying acceptable MBE/DBE certification directories) is RESCINDED and SUPERSEDED. There is no minority business participation goal applicable to this Project.

4. Effect on This Procurement

Because this procurement is currently in progress, Bidders are not required to identify minority-owned subcontractors, meet a minority participation goal, or submit good faith effort documentation with their Bid. The Owner will not evaluate Bids based on minority business participation and will not reject a Bid or deem it non-responsive on that basis.

5. Federally Funded Work

If this Project is funded in whole or in part by federal grants-in-aid or federal loans, minority/women/disadvantaged business enterprise participation requirements imposed by the federal government or its agencies as a condition of such funding REMAIN IN EFFECT, consistent with N.C.G.S. §160A-17.1(a)(3a), notwithstanding the modifications set forth above.

Contractor Acknowledgment:

We acknowledge receipt of Addendum No. 2 and have incorporated its provisions into our Bid.

Firm Name: _____

Authorized Signature: _____

Printed Name & Title: _____

Date: _____

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NOTICE TO BIDDERS
RFB #26-072

Sealed proposals will be received by Wake County Procurement Services, in Suite 2900, Wake County Justice Center, 301 McDowell Street, Raleigh, NC 27601, up **to 3:00 p.m., Wednesday, July 22, 2026**, and immediately thereafter publicly opened and read for providing labor, material and equipment entering into the construction of the American Tobacco Trail Slope Stabilization project, located in Raleigh, NC.

Complete contract documents are available upon request by contacting the Engineer of Record, Cameron James, at James@Mcadamsco.com. Electronic bidding documents will also be posted to the following Wake County website: <https://www.wake.gov/departments-government/finance/current-business-opportunities>. Contractors are responsible for distributing documents to all subcontractors.

~~Wake County provides minorities and women equal opportunity to participate in all aspects of its construction program consistent with NCGS §143-8. Bidders shall comply with the requirements of the Wake County Minority Business Enterprise Program, as outlined in Section 00600 of the Project Manual.~~

A **non-mandatory but highly encouraged** Pre-Bid Meeting will be held from 2:00pm to 3:00pm on July 1, 2026. We will meet at the American Tobacco Trail Wimberly Road Crossing access, 1017 Wimberly Road, Apex, NC 27523, in the parking lot and then walk over to the site.

This project consists of removing spoil material from a slope, backfilling the slope, installing erosion control blankets, constructing a swale, installing drainage pipes, planting shrubs and trees, repairing the trail, and additional miscellaneous site improvements. Refer to the Project Manual herein and associated Construction Drawings for the full scope of work.

No bid may be withdrawn for ninety (90) days after the scheduled closing time for bids.

The Owner reserves the right to reject any or all bids and to waive informalities.

Signed: COUNTY OF WAKE

By: Mark Hamlett
General Services Administration

ENGINEER: Cameron James, PE CFM
McAdams, 621 Hillsborough St Suite 500,
Raleigh, NC 27603

- E. All signatures shall be properly witnessed or attested as applicable.
- F. Each proposal shall be addressed as indicated in the Advertisement for Bids and shall be delivered, enclosed in an opaque sealed envelope, marked "Proposal" and bearing the name of Project, name and address of the Bidder, the Bidder's license number and, if applicable, the designated portion of the Work for which Bid is submitted.
- G. It shall be the specific responsibility of the Bidder to deliver the Bid to the proper official at the appointed place and prior to the announced time for the opening of Bids. Later delivery of a Bid for any reason, including delivery by the United States Mail, shall disqualify the Bid.
- H. Modifications of previously deposited Bids or requests for withdrawal will be acceptable only if delivered in person or in writing to the place of the Bid opening prior to the time for opening Bids.
- I. Unit Prices quoted in the Proposal shall include overhead and profit and shall be the full compensation for the Contractor's cost involved in the work.
- ~~J. All Bidders shall submit, attached to the bid, evidence of compliance with the Owners Minority Business Enterprise Program as outlined in B-20 B-26 of the Bidding Documents.~~

~~2. REQUIREMENTS FOR DOCUMENTING MINORITY BUSINESS PARTICIPATION~~

~~Documentation to be submitted with each bid proposal~~

- ~~1. All Bidders must provide, with the bid, Wake County Form MBE 1 (2002), Identity of Minority Business Participation, which identifies the minority businesses that will be used on the project, with the total dollar value of the work that will be performed by the listed minority businesses. Wake County Form MBE 1 (2002), Identity of Minority Business Participation, is a part of the bid form.~~

2. All Bidders must provide, with the bid, one of the following:

- a. ~~Wake County Form MBE 2 (2002) a listing of the good faith efforts made to solicit minority participation in the bid effort. A bidder must earn a minimum of 50 points from the good faith efforts listed for their bid to be considered responsive or;~~
- b. ~~Wake County Form MBE 3 (2002) This form is to be submitted only by bidders certifying that all the work on the project will be performed 100% by their own workforce.~~

~~All bidders must submit with their bid the applicable forms; failure to submit the required forms may be grounds for rejection of the bid.~~

~~B. Documentation to be submitted by the apparent low bidder after notification by the Owner~~

~~After the bid opening the Owner will consider all bid proposals and then determine and contact the apparent lowest responsible, responsive bidder. Within 72 hours of receipt of notification of being the apparent lowest responsible, responsive Bidder the Bidder shall submit the following:~~

- 1. ~~If the Bidder's minority business participation meets or exceeds the established goal of 10%, the Bidder must submit Wake County Form MBE 4 (2002). This form is to include a description of the portion of work to be executed by minority business, expressed as a percentage of the total contract price.~~
- 2. ~~If the Bidder's minority business participation is less than the established goal of 10%, the Bidder must submit Wake County Form MBE 5 (2002). This form is to document the Bidder's good faith efforts to meet the established goal. Documentation to be provided on this form shall be evidence of all good faith efforts made, including any advertisements, solicitations and other specific actions demonstrating recruitment and selection of minority business for participation in the contract.~~

~~C. Other documentation to be provided after contract award~~

- 1. ~~Within 30 days after a contract is awarded, or sooner if required by the Contract Documents, the successful Bidder must provide, to the Owner, a list of all~~

~~subcontractors to be used on the project. The list must identify the minority category of each minority subcontractor.~~

- ~~2. With the final request for payment the successful Bidder shall provide a complete listing of all minority businesses used on the project, along with the total dollar value of work performed by each minority business. This information must be provided on Wake County Form MBE-6 (2002).~~

3. EXAMINATION OF CONDITIONS

It is understood and mutually agreed that by submitting a Bid the Contractor acknowledges his careful examination of the Bidding Documents pertaining to the work, the location, accessibility and general character of the site of the work and all existing buildings and structures within and adjacent to the site; and has satisfied himself as to the nature of the work, the condition of existing buildings and structures, the conformation of the ground, the character, quality and quantity of the materials to be encountered; the character of the equipment, machinery, plant and any other facilities needed preliminary to and during prosecution of the work; the general and local conditions; the construction hazards; and all other matters, including but not limited to, the labor situation which can in any way affect the work under the Contract; and including all safety measures required by the latest edition of the Occupational Safety Health Act and all rules and regulations issued pursuant thereto. It is further mutually agreed that by submitting a Proposal, the Contractor acknowledges that he has satisfied himself as to the feasibility and meaning of the plans, drawings, specifications, and other Contract Documents for the construction of the work and that he accepts all the terms, conditions and stipulations contained therein; and that he is prepared to work in cooperation with the Owner and all other Contractors performing work on the site.

Reference is made to the Contract Documents for the identification of those surveys and investigative reports of subsurface or latent physical conditions at the site or otherwise affecting performance of the work which have been relied upon by the Licensed Professional who prepared the documents. Copies of all such surveys and reports are available to the Bidders, upon request. All Bidders are responsible for reviewing these documents prior to submission of their Bid Proposal.

Each Bidder may, at his own expense, make such additional surveys and investigations, as he may deem necessary to determine his Bid price for the performance of the work. Any on-site investigation shall be done at the convenience of the Owner. The Owner will honor any reasonable request for access to the site.

4. SUBSTITUTIONS

Material substitutions will be considered during the bidding phase until seven (7) days prior to the receipt of bids. No substitutions will be considered after seven (7) days prior to the receipt of Bids.



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Project	American Tobacco Trail Slope Stabilization		Project Number
Owner	County of Wake		
Construction Manager			
Design Professional	McAdams		
Date	7/1/2026	Time	2:00 p.m.
		Location	1017 Wimberly Road, Apex NC 27523

Attendance at Conference is ☐ Mandatory ☒ Not Mandatory

1.00 SIGN-IN/INTRODUCTIONS

1.01 Welcome - This is the pre-bid conference for the American Tobacco Trail Slope Stabilization Project.

1.02 Purpose and limitations on meeting content, requirement to sign in – Pre-bid is non-mandatory but all attendees are required to sign in.

1.03 Introductions

A. Cameron James – McAdams Project Manager/Design Consultant

B. Holly Albright – McAdams Designer

C. County of Wake:

1. Mark Hamlett – Deputy Director, General Services Administration
2. Parks and Recreation Staff

D. Bidder Introductions

1.04 Addenda, additional information, and documents.

- A. Electronic bidding documents and addenda will be posted to the Wake County Current Business Opportunities website. Complete contract documents (CDs + Project manual) are available upon request by emailing the Engineer of Record, Cameron James at james@mcadamsco.com.
- B. Any questions must be submitted by Monday, July 6, 2026 by **12:00 p.m.** Please make every effort to submit any questions before this deadline; bidders are not to rely on verbal responses; no verbal response is official or binding until and unless it is reduced to writing in an addendum.
- C. Project Documents – there is one set of drawings and one project manual.

2.00 PROJECT INFORMATION

2.01 Review Special Contract Provisions

A. Type of contract – Contract is a traditional construction contract, and Competitive Sealed Bids are being used to select the Contractor.

B. Bid Process - due **Wednesday July 22, 2026 at 3:00 p.m.** to Wake County Procurement Services, located in Suite 2900, Wake County Justice Center, 301 McDowell Street, Raleigh, NC 27601.

C. Process for submitting Bids – please make note of all requirements in the bid documents, specifically reference the “Instructions to Bidders” section of the project manual to make sure you’ve included everything.

~~D. Diverse Business Participation Program – follow requirements in the bidding documents. Need to include Wake County Form MBE-1 and either Form MBE-2 or Form MBE-3.~~

E. Required bonds - Bid, performance, and payment bonds are required.

Construction schedule and liquidated damages, penalties, or fines that may be incurred – 60 days total.
Liquidated Damages are \$500/day.

Requests for Information

1. Can you verify that the minority goal is 10% for this project? In order to meet these minority requirements which MBE/DBE lists will be acceptable to solicit from? (i.e. HUB, NCDOT)

Engineer Response: There is no minority goal for this project.

2. Please clarify what is meant by or to be included with line-item A-08 (Comprehensive Grading) on the bid form.

Engineer Response: Bid Item A-08, Comprehensive Grading, shall include all labor, equipment, materials, and incidentals necessary to perform grading, shaping, contouring, fine grading, and tie-ins required to construct the proposed improvements in accordance with the Contract Documents and grading plan. This item includes grading associated with slope reconstruction, restoration areas, drainage swales, transition areas, and finishing of disturbed areas to achieve the design grades shown on the plans. Items that are specifically measured and paid for under separate bid items shall not be included in this pay item.

3. The notes on Sheet L6.02 state the warranty and maintenance for the plantings are to be one-year from substantial completion. Seems like a lot for a small project. Is that how you want us to price this in our bid or can this time frame be reduced at all?

Engineer Response: Contractor shall provide all labor, materials, equipment, supervision, transportation, and incidentals necessary to maintain all installed plant materials for a period of one (1) year following Substantial Completion in accordance with Landscape Note L6.02. See updated Pay Item A-35 and the attached Special Provisions document.