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for

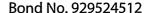
Karen McConnaughay Chairman, Kane County Board

Name of Document:	Contract/Contract Bond with Herlihy Mid-Continent Company for
Randall Road over In	terstate 88 Bridge Project, Sec. #08-00299-01-BR
Submitted by:	Linda Haines
Phone Number:	630/584-1170
Date Submitted:	March 8, 2011
Examined by:	Pat Jaeger (Print name) (Signature)
Comments:	(Date)
Chairman signed:	Yes No <u>y-28-11</u> Stramped to: - OY, KDOI, Picked UP
Document returned	to: \QY KDO/, Picked UP



Contract

 THIS AGREEMENT, made and concluded the 	e <u>12th</u>	day of <u>A</u>	pril, 2011 Month and Year
between the County	of	Kane	,
acting by and through its County Board			known as the party of the first part, and
Herlihy Mid-Continent Company		his/their executors	s, administrators, successors or assigns,
known as the party of the second part.			
2. Witnesseth: That for and in consideration of to be made and performed by the party of the first presents, the party of the second part agrees with sethe work, furnish all materials and all labor necessal hereinafter described, and in full compliance with all it.	part, and aid party ary to co	I according to the of the first part at mplete the work it	terms expressed in the Bond referring to the his/their own proper cost and expense to do n accordance with the plans and specificatio
3. And it is also understood and agreed that the hereto attached, and the Plans for Section08-002		•	cial Provisions, Proposal and Contract Bond
in Kane County		. approved by the	Department of Transportation of the
	, are ess	ential documents	of this contract and are a part hereof
Date			
4. IN WITNESS WHEREOF, The said parties ha	ave exec	uted these presen	ts on the date above mentioned.
Attest: Clerk	The Bv	County o	Kane Company
(Seal)	υ,	Chairman,	Party of the First Part County Board (If a Corporation)
	Corpo By	prate Name He	erlihy Mid-Continent Company Party of the Second Part
		Donald R. Sch	ıltz
			(If a Co-Partnership)
Attest:		***************************************	
Www_K toustate Secretary Tilliam K. Freestate	_		
	_	Partners	doing Business under the firm name of
			Party of the Second Part
			(If an individual)
	-		Party of the Second Part



Doute



Contract Bond

				Noute		
				County	Kane	yt i tradition en wegen version and tradition of
				Local Agency	Kane Count	у
				Section	08-00299-01	1-BR
We, Herlihy Mid-Con	tinent Company,	1306 Marquet	tte Drive, Rome	oville, IL 60446		
a/an)		•	-	under the laws of the Stauth Wabash Avenue, 4		5 .
Chicago IL 60604						as SURETY,
are held and firmly bound Nine Hundred Sixty E		- ,	•	,	nal sum of	
			Dollars (\$968,916.40		If money of the
United States, well and to						xecutors,
administrators, successo	ns, jointly to pay i	io ine la inst	buill under life	conditions of this mouth	ICIIL.	

WHEREAS THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH that, the said Principal has entered into a written contract with the LA acting through its awarding authority for the construction of work on the above section, which contract is hereby referred to and made a part hereof, as if written herein at length, and whereby the said Principal has promised and agreed to perform said work in accordance with the terms of said contract, and has promised to pay all sums of money due for any labor, materials, apparatus, fixtures or machinery furnished to such Principal for the purpose of performing such work and has further agreed to pay all direct and indirect damages to any person, firm, company or corporation suffered or sustained on account of the performance of such work during the time thereof and until such work is completed and accepted; and has further agreed that this bond shall inure to the benefit of any person, firm, company or corporation to whom any money may be due from the Principal, subcontractor or otherwise for any such labor, materials, apparatus, fixtures or machinery so furnished and that suit may be maintained on such bond by any such person, firm, company or corporation for

NOW THEREFORE, if the said Principal shall well and truly perform said work in accordance with the terms of said contract, and shall pay all sums of money due or to become due for any labor, materials, apparatus, fixtures or machinery furnished to him for the purpose of constructing such work, and shall commence and complete the work within the time prescribed in said contract, and shall pay and discharge all damages, direct and indirect, that may be suffered or sustained on account of such work during the time of the performance thereof and until the said work shall have been accepted, and shall hold the LA and its awarding authority harmless on account of any such damages and shall in all respects fully and faithfully comply with all the provisions, conditions and requirements of said contract, then this obligation to be void; otherwise to remain in full force and effect.

IL 494-0372

the recovery of any such money.

IN TESTIMONY WHEREOF, the said PRINCIPAL and the signed by their respective officers this 12th	e said SURETY day of	have caused this instrument to be April	e A.D. 2011	
12111	PRINCII		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
Herlihy Mid-Continent Company		. • • • • • • • • • • • • • • • • • • •		en e
By: (Company Name) Donald R. Schultz (Signature & Title) President		By:	y Name) nature & Title)	
Attest: Www_K. 7 mshate		Attest:	ature & ritle)	
William K. Freestate (Signature & Title) Secretary (If PRINCIPAL is a joint venture of two or more contract affixed.)		(Sig	gnature & Title) re of each contractor	must be
STATE OF ILLINOIS,				
COUNTY OF Will	·			
I, Rebecca A. Wright	, a Notar	y Public in and for said county, do l	nereby certify that	~~~~~
Donald R. Schultz and Wi	lliam K. Free	state		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
	***			Y CO
·	-	ng on behalf or PRINCIPAL)		ANNUM OF
who are each personally known to me to be the of PRINCIPAL, appeared before me this day in instrument as their free and voluntary act for the Given under my hand and notarial seal this	person and ac	knowledged respectively, that they	ne foregoing instrume signed and delivered A.D. <u>2011</u>	ent on 的制度 FICIAL SEA FICIAL SEA WRIGHT STATE
My commission expires 10/21/10	_Nel	Notary Fublic		(SEALL)
Continental Casualty Company (Name of Surety) STATE OF ILLINOIS.	SURE [*]	By: CATAIN CAC	MUMUM of Attorney-in-racty	(SEAL)
COUNTY OF WILL				(,
I. Kimberly R. Holmes	, a Notar	y Public in and for said county, do l	hereby certify that	
Esther C. Jimenez				
0	F1 17 14 11 1	· Laberta OUDETW		(mm)
who are each personally known to me to be the of SURETY, appeared before me this day in per instrument as their free and voluntary act for the Given under my hand and notarial seal this My commission expires February 11, 2014	same persons rson and ackno uses and purp	ing on behalf or SURETY) whose names are subscribed to the owledged respectively, that they sign to be subscribed to the owledged respectively, that they sign to be subscribed as a subscribed with the control of the	ne foregoing instrume gned and delivered s A.D. <u>2011</u>	" O F F I C I'AL SI MY COMMISSION EXPIRES en id S
Approved this 12th day of	April	, A.D. <u>20</u>	11	MES 2/11
Attest:		Count <u>v</u> of Kane		MES FILLINOIS
John A. Cunningham, County	Clerk	County Board	g Authority)	7
Page 2 of 2 Printed on 3/8/2011 11:02:46 AM	IL 494-03		BLR 123	321 (Pev. 7/05)

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Knew All Men By These Presents, That Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company (herein called "the CNA Companies"), are duly organized and existing insurance companies having their principal offices in the City of Chicago, and State of Illinois, and that they do by virtue of the signatures and seals herein affixed hereby make, constitute and appoint

William P Weible, William Cahill, Kimberly Sawicki, Melissa Newman, Karen A Ryan, Esther C Jimenez, Kimberly R Holmes, Deborah A Campbell, Mary Anne Sylos, Leigh Ann Francis, Individually

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

- In Unlimited Amounts -

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

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Boards of Directors of the insurance companies.

In Witness Whereof, the CNA Companies have caused these presents to be signed by their Senior Vice President and their corporate seals to be hereto affixed on this 19th day of August, 2010.







Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania

Jacquelyne M. Belcastro Senior Vice President

State of Illinois, County of Cook, ss:

On this 19th day of August, 2010, before me personally came Jacquelyne M. Belcastro to me known, who, being by me duly sworn, did depose and say: that she resides in the City of Chicago, State of Illinois; that she is a Senior Vice President of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company described in and which executed the above instrument; that she knows the seals of said insurance companies; that the seals affixed to the said instrument are such corporate seals; that they were so affixed pursuant to authority given by the Boards of Directors of said insurance companies and that she signed her name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance companies.

OFFICIAL SEAL ELIZA PRICE NOTARY PUBLIC - STATE OF ELIPHOIS MY COMMISSION EXPIRES:00/17/13

My Commission Expires September 17, 2013

Eliza Price Notary Public

CERTIFICATE

I, Mary A. Ribikawskis, Assistant Secretary of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance companies 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 insurance companies this ______12th_____ day of ______April________, __2011___.







Continental Casualty Company National Fire Insurance Company of Hartford American Casualty Company of Reading, Pennsylvania

Mary A. Ribikawskis

Assistant Secretary

Form F6853-5/2009