

DOCUMENT VET SHEET
for
Karen McConnaughay
Chairman, Kane County Board

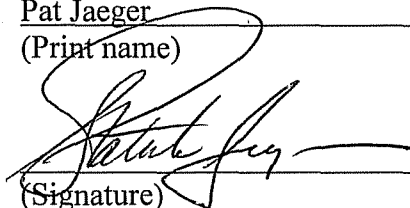
Name of Document: Contract/Contract Bond with Herlihy Mid-Continent Company for
Randall Road over Interstate 88 Bridge Project, Sec. #08-00299-01-BR

Submitted by: Linda Haines

Phone Number: 630/584-1170

Date Submitted: March 8, 2011

Examined by: Pat Jaeger
(Print name)


(Signature)

(Date)

Comments:

Chairman signed: Yes No 4-28-11 STAMPED
(Date)

Document returned to: JOY, KDOT, picked up



1. THIS AGREEMENT, made and concluded the 12th day of April, 2011 Month and Year

between the County of Kane acting by and through its County Board Herlihy Mid-Continent Company his/their executors, administrators, successors or assigns, known as the party of the second part.

2. Witnesseth: That for and in consideration of the payments and agreements mentioned in the Proposal hereto attached, to be made and performed by the party of the first part, and according to the terms expressed in the Bond referring to these presents, the party of the second part agrees with said party of the first part at his/their own proper cost and expense to do all the work, furnish all materials and all labor necessary to complete the work in accordance with the plans and specifications hereinafter described, and in full compliance with all of the terms of this agreement and the requirements of the Engineer under it.

3. And it is also understood and agreed that the Notice to Contractors, Special Provisions, Proposal and Contract Bond hereto attached, and the Plans for Section 08-00299-01-BR in Kane County, approved by the Department of Transportation of the State of Illinois, are essential documents of this contract and are a part hereof.

4. IN WITNESS WHEREOF, The said parties have executed these presents on the date above mentioned.

Attest: Clerk (Seal)

The County of Kane By [Signature] Chairman, County Board (If a Corporation)

Corporate Name Herlihy Mid-Continent Company By [Signature] President Donald R. Schultz (If a Co-Partnership)

Attest: [Signature] Secretary William K. Freestate

Partners doing Business under the firm name of

Party of the Second Part

(If an individual)

Party of the Second Part

IN TESTIMONY WHEREOF, the said PRINCIPAL and the said SURETY have caused this instrument to be signed by their respective officers this 12th day of April A.D. 2011

PRINCIPAL

Herlihy Mid-Continent Company

(Company Name)

By: *Donald R. Schultz*
Donald R. Schultz (Signature & Title) President

By: _____
(Signature & Title)

Attest: *William K. Freestate*
William K. Freestate (Signature & Title) Secretary

Attest: _____
(Signature & Title)

(If PRINCIPAL is a joint venture of two or more contractors, the company names and authorized signature of each contractor must be affixed.)

STATE OF ILLINOIS,
COUNTY OF Will

I, Rebecca A. Wright, a Notary Public in and for said county, do hereby certify that

Donald R. Schultz and William K. Freestate

(Insert names of individuals signing on behalf or PRINCIPAL)

who are each personally known to me to be the same persons whose names are subscribed to the foregoing instrument on behalf of PRINCIPAL, appeared before me this day in person and acknowledged respectively, that they signed and delivered said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 12th day of April A.D. 2011

My commission expires 10/21/10

Rebecca A. Wright
Notary Public

(SEAL)



SURETY

Continental Casualty Company

(Name of Surety)

By: *Esther C. Jimenez*
Esther C. Jimenez (Signature of Attorney-in-Fact)

STATE OF ILLINOIS,
COUNTY OF WILL

(SEAL)

I, Kimberly R. Holmes, a Notary Public in and for said county, do hereby certify that

Esther C. Jimenez

(Insert names of individuals signing on behalf or SURETY)

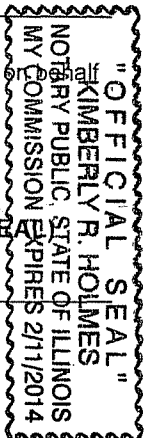
who are each personally known to me to be the same persons whose names are subscribed to the foregoing instrument on behalf of SURETY, appeared before me this day in person and acknowledged respectively, that they signed and delivered said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 12th day of April A.D. 2011

My commission expires February 11, 2014

Kimberly R. Holmes
Notary Public

(SEAL)



Approved this 12th day of April, A.D. 2011

Attest:

County of Kane

(Awarding Authority)

John A. Cunningham, County Clerk

John A. Cunningham
Chairman/ Mayor/ President

County Board

AMS

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know 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
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.



My Commission Expires September 17, 2013

Eliza Price
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
Mary A. Ribikawskis Assistant Secretary