

**KANE COUNTY**  
DIVISION of TRANSPORTATION

Carl Schoedel, P.E.  
Director of Transportation  
County Engineer



41W011 Burlington Road  
St. Charles, IL 60175  
Phone: (630) 584-1170  
Fax: (630) 584-5265

DATE: May 13, 2011

TO: Jean Weems  
County Board Office

FROM: Linda Haines

SUBJECT: May County Board

3 – Contract / Contract Bond with Builders Paving d/b/a Hardin Paving/Builders Asphalt for Kane County Resurfacing, Kane County Section #11-00415-00-RS with Document Vet Sheet

4 – Contract /Contract Bond with Builders Paving d/b/a Hardin Paving/Builders Asphalt for Campton Township Section #11-06000-01-GM with Document Vet Sheet

TRANSMITTED FOR:

- YOUR INFORMATION AND FILE
- YOUR APPROVAL AND/OR CORRECTION
- AS REQUESTED
- SEE BELOW

REMARKS: Please have the Chairman sign, send to County Clerk for signature and seal, and return to our office for further processing.

Thanks.

c: Dave Boesch  
Brad Hunold

County of Kane  
Office of County Board  
Kane County Government Center

Karen McConnaughay  
Chairman  
630-232-5930



719 Batavia Avenue  
Geneva, Illinois 60134  
Fax 630-232-9188

**DOCUMENT VET SHEET**

for  
**Karen McConnaughay**  
**Chairman, Kane County Board**

Name of Document: Contract / Contract Bond with Builders Paving/Builders

Asphalt for Kane Co. Sec. #11-00415-00-RS, 2011


Resurfacing

Submitted by: Linda Haines

Date Submitted: April 13, 2011

Examined by: Pat Jaeger

(Print name)

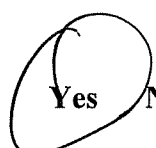
  
(Signature)

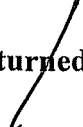
April 29, 2011

(Date)

Post on Web: Yes  No  Atty. Initials \_\_\_\_\_

Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Chairman signed:  Yes  No  5-23-11  
(Date)

Document returned to:  CO. CLERK



1. THIS AGREEMENT, made and concluded the 10th day of May, 2011 between the County of Kane acting by and through its County Board Chairman Builders Paving d/b/a Hardin Paving/Builders Asphalt LLC 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 11-00415-00-RS 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 Karen McComaughy Chairman, County Board (If a Corporation)

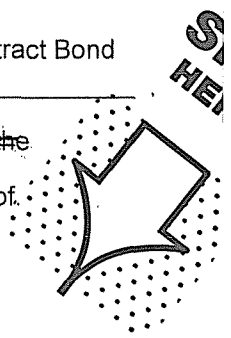
Corporate Name By President Party of the Second Part

Attest: Secretary

(If a Co-Partnership) Paul J. Hill / Brian A. Brown, Exec VP Best Business Outlets Partners doing Business under the firm name of

(Seal)

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 21st day of April A.D. 2011

Builders Paving, LLC dba  
Hardin Paving Services  
(Company Name)

PRINCIPAL  
Builders Asphalt, LLC  
(Company Name)

By: [Signature]  
Brady A. Robbins (Signature & Title) Exec. Vice Pres.  
Attest: [Signature]  
(Signature & Title)

By: [Signature]  
Beth Brusveen Conley (Signature & Title) Co-Manager  
Attest: [Signature]  
(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 \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for said county, do hereby certify that

Brady A. Robbins, Beth Brusveen Conley,

(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 21st day of April A.D. 2011

My commission expires \_\_\_\_\_ Notary Public (SEAL)

Fidelity and Desposit Company of Maryland  
(Name of Surety)

SURETY  
By: [Signature]  
(Signature of Attorney-in-Fact)  
Kimberly R. Holmes (SEAL)

STATE OF ILLINOIS,  
COUNTY OF KANE

I, Esther C. Jimenez, a Notary Public in and for said county, do hereby certify that

Kimberly R. Holmes

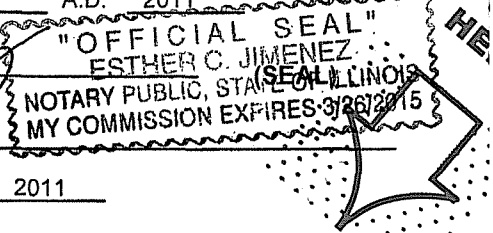
(Insert names of individuals signing on behalf or SURETY)

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 21st day of April A.D. 2011

My commission expires 03/26/2015

[Signature]  
Notary Public



Approved this 10th day of May, A.D. 2011

Attest:  
John A. Cunningham, County Clerk  
(Seal)

County of Kane  
(Awarding Authority)  
[Signature]  
(Chairman/Mayor/President)  
County Board

**Power of Attorney**  
**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by THEODORE G. MARTINEZ, Vice President, and ERIC D. BARNES, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **William P. WEIBLE, William F. CAHILL, Melissa M. NEWMAN, Esther C. JIMENEZ, Karen A. RYAN, Kimberly R. HOLMES, Deborah A. CAMPBELL, Mary Anne SYLOS and Leigh Ann FRANCIS, all of Lisle, Illinois, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: ~~any and all bonds and undertakings,~~ and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of William P. WEIBLE, William F. CAHILL, Melissa M. NEWMAN, Esther C. JIMENEZ, Molly M. MORAN, Kimberley K. LIBERS, Karen A. RYAN, Kimberly R. HOLMES, dated January 23, 2006.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 20th day of January, A.D. 2009.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



*Eric D. Barnes*

*Theodore G. Martinez*

By: *Eric D. Barnes* Assistant Secretary *Theodore G. Martinez*

State of Maryland }  
City of Baltimore } ss:

On this 20th day of January, A.D. 2009, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came THEODORE G. MARTINEZ, Vice President, and ERIC D. BARNES, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposed and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Constance A. Dunn*

*Constance A. Dunn* Notary Public  
My Commission Expires: July 14, 2011