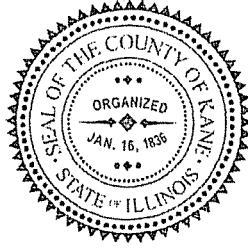


COUNTY OF KANE

Christopher J. Lauzen
Kane County Board Chairman



Kane County Government Center
719 South Batavia Avenue
Geneva, IL 60134
P: (630) 232-5930
F: (630) 232-9188
clauzen@kanecoboard.org
www.countyofkane.org

DOCUMENT VET SHEET

for
Christopher J. Lauzen
Chairman, Kane County Board

Name of Document: Contract/Contract Bond for Areatha Construction,

Orchard Road Bridge over I-88, Kane County Section

#11-00202-03-BR

Submitted by: Carl Schoedel

Date Submitted: March 26, 2013

Res. # : 13-141

Examined by: Pat Jaeger
(Print name)

[Signature]
(Signature)

03-27-13
(Date)

[Handwritten signature]
5.6.13



Post on the Web: YES NO Atty. Initials [Signature]

Comments:

Chairman signed: YES _____ NO _____
(Date)

Document returned to: _____
(Name/Department)



1. THIS AGREEMENT, made and concluded the 14th day of May, 2013 between the County of Kane acting by and through its County Board Areatha Construction Company, Inc. 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 11-00202-03-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 Areatha Construction Co., Inc. By [Signature] President Party of the Second Part (If a Co-Partnership)

Attest: [Signature] Secretary

Partners doing Business under the firm name of Party of the Second Part (If an individual) Party of the Second Part



Route	_____
County	<u>Kane</u>
Local Agency	<u>Kane</u>
Section	<u>11-00202-03-BR</u>

We, Areatha Construction Company, Inc., 410 East North Avenue, Streamwood, IL 60107

a/an) Individual Co-partnership Corporation organized under the laws of the State of Illinois

as PRINCIPAL, and Selective Insurance Company of America, 40 Wantage Avenue, Branchville, New Jersey 07890

as SURETY,

are held and firmly bound unto the above Local Agency (hereafter referred to as "LA") in the penal sum of Nine Hundred Twenty Six Thousand Eight Hundred Seventy Five and 25/100

Dollars (\$926,875.25), lawful money of the

United States, well and truly to be paid unto said LA, for the payment of which we bind ourselves, our heirs, executors, administrators, successors, jointly to pay to the LA this sum under the conditions of this instrument.

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 the recovery of any such money.

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.

IN TESTIMONY WHEREOF, the said PRINCIPAL and the said SURETY have caused this instrument to be signed by their respective officers this 3 day of April A.D. 2013

PRINCIPAL

Areatha Construction Company, Inc.
(Company Name)

(Company Name)

By: Sam Batey President
(Signature & Title)

By: _____
(Signature & Title)

Attest: R.D. Vice President/Sec.
(Signature & Title)

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 DuPage

I, Annette Werner, a Notary Public in and for said county, do hereby certify that
Sam Batey & Raj Patel

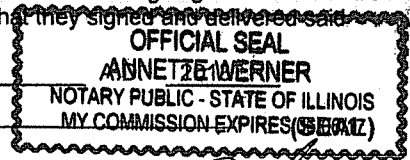
(Insert names of individuals signing on behalf or PRINCIPAL)

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 3 day of April

My commission expires 6/6/17

Annette Werner
Notary Public



SURETY

Selective Insurance Company of America
(Name of Surety)

By: [Signature]
(Signature of Attorney-in-Fact)

(SEAL)

STATE OF ILLINOIS,
COUNTY OF COOK

I, Rebecca C. Spees, a Notary Public in and for said county, do hereby certify that
Luke F. Praxmarer

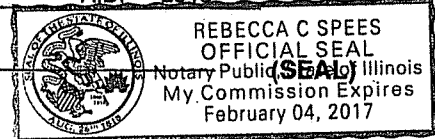
(Insert names of individuals signing on behalf or SURETY)

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 3 day of April A.D. 2013

My commission expires 02/04/2017

Rebecca C. Spees
Notary Public



Approved this 14th day of May, A.D. 2013

Attest:
John A. Cunningham, County Clerk

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



SELECTIVE®

Selective Insurance Company of America
40 Wantage Avenue
Branchville, New Jersey 07890
973-948-3000

Bond No. B 1128787

POWER OF ATTORNEY

SELECTIVE INSURANCE COMPANY OF AMERICA, a New Jersey corporation having its principal office at 40 Wantage Avenue, in Branchville, State of New Jersey ("SICA"), pursuant to Article VII, Section 1 of its By-Laws, which state in pertinent part:

The Chairman of the Board, President, Chief Executive Officer, any Executive Vice President, any Senior Vice President or any Corporate Secretary may, from time to time, appoint attorneys in fact, and agents to act for and on behalf of the Corporation and they may give such appointee such authority, as his/her certificate of authority may prescribe, to sign with the Corporation's name and seal with the Corporation's seal, bonds, recognizances, contracts of indemnity and other writings obligatory in the nature of a bond, recognizance or conditional undertaking, and any of said Officers may, at any time, remove any such appointee and revoke the power and authority given him/her.

does hereby appoint **Luke F. Praxmarer**

, its true and lawful attorney(s)-in-fact, full authority to execute on SICA's behalf fidelity and surety bonds or undertakings and other documents of a similar character issued by SICA in the course of its business, and to bind SICA thereby as fully as if such instruments had been duly executed by SICA's regularly elected officers at its principal office, in amounts or penalties not exceeding the sum of: **Twelve Million Dollars** **12000000**

Signed this 3rd day of April, 2013

SELECTIVE INSURANCE COMPANY OF AMERICA

By: *Timothy A. Marchio*
Timothy A. Marchio
Its Vice President, Bond



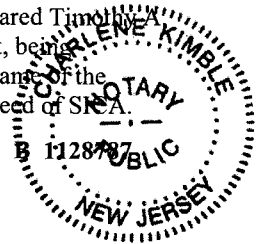
CERTIFIED COPY

STATE OF NEW JERSEY :
 : ss. Branchville
COUNTY OF SUSSEX :

On this 3rd day of April, 2013 before me, the undersigned officer, personally appeared Timothy A. Marchio, who acknowledged himself to be the Vice President of SICA, and that he, as such Vice President, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President and that the same was his free act and deed and the free act and deed of SICA.

Charlene Kimble
Notary Public of New Jersey
My Commission Expires 6/2/2016

Charlene Kimble
Notary Public



The power of attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of SICA at a meeting duly called and held on the 6th of February 1987, to wit:

"RESOLVED, the Board of Directors of Selective Insurance Company of America authorizes and approves the use of a facsimile corporate seal, facsimile signatures of corporate officers and notarial acknowledgements thereof on powers of attorney for the execution of bonds, recognizances, contracts of indemnity and other writing obligatory in the nature of a bond, recognizance or conditional undertaking."

CERTIFICATION

I do hereby certify as SICA's Corporate Secretary that the foregoing extract of SICA's By-Laws and Resolution are in full force and effect and this Power of Attorney issued pursuant to and in accordance with the By-Laws is valid.

Signed this 3rd day of April, 2013

Michael H. Lanza
Michael H. Lanza, SICA Corporate Secretary



Important Notice: If the bond number embedded within the Notary Seal does not match the number in the upper right-hand corner of this Power of Attorney, contact us at 973-948-3000.