

Sample

MnDOT Contract No.

State Project No.

Federal Project No.

Class of Work

STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

Letting Date:

PAYMENT AND PERFORMANCE BOND

FOR STATE HIGHWAY CONSTRUCTION AND MAINTENANCE PROJECTS

PART A: PAYMENTS

KNOW ALL PERSONS BY THESE PRESENTS, That We _____, (ADDRESS) contractor, as principal, and _____, as surety, are held and firmly bound unto the State of Minnesota in the amount of \$_____, for payment of all claims, costs and charges as hereinafter set forth.

For the payment of this well and truly to be made we jointly and severally bind ourselves, our representatives and successors firmly by these presents.

The condition of this obligation is such that whereas the principal has entered into a contract with the State of Minnesota for the construction of State Project No. _____ on Trunk Highway No. _____, located _____ which contract is on file in the office of the Commissioner of Transportation, the regularity and validity of which is hereby affirmed:

NOW, THEREFORE, if the principal shall pay as they may become due all just claims for work done, and for furnishing labor, work, skills, tools, machinery, materials, insurance premiums, equipment, and supplies, for the purpose and completion of the contract in accordance with its terms, and all taxes incurred under Minnesota Statutes, Section 290.92 and chapter 297A, and shall pay all costs of enforcement of the terms of the bond, if action is brought thereon, including reasonable attorney's fees, in any of case in which such action is successfully maintained, and shall comply with the laws of the state appertaining to such

contract, then this obligation shall be void but otherwise it shall remain in full force and effect pursuant to Minnesota Statutes, Chapter 574.

PART B; PERFORMANCE

KNOW ALL PERSONS BY THESE PRESENTS, that the aforesaid principal and surety are held and firmly bound unto the State of Minnesota in the additional amount of \$_____, for the faithful performance of the contract as hereinafter set forth.

For the payment of this obligation is such that whereas the principal has entered into the contract more particularly described in part A hereof, the regularity and validity of which is hereby affirmed;

NOW, THEREFORE, if the principal shall faithfully perform the contract and shall save the State of Minnesota harmless from all costs and charges that may accrue on account of the doing of the work specified and shall pay all costs of enforcement of the terms of the bonds, if action is brought thereon, including reasonable attorney's fees, in any case in which such action is successfully maintained, and shall comply with the laws of the state appertaining to such contract, then this obligation shall be void but otherwise it shall remain in full force and effect pursuant to Minnesota Statutes, Chapter 574.

Sample

SIGNATURES

Date _____, 20_____

(Name of Contractor)

By: _____
(Officer)

By: _____
(Officer)

(Name of Surety)

By: _____
(Attorney-in-Fact)

(Surety Corporate Seal)

**ACKNOWLEDGEMENT IN A REPRESENTATIVE CAPACITY
(Corporation, LLC, Partnership or Other Entity)**

STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me on _____ by _____
(date) (name)

and _____ as _____ and _____
(name) (title) (title)

of _____.
(name and designation of party on behalf of whom the instrument was executed)

Notary Signature: _____

Title: _____

Commission Expiration: _____

(Stamp/Seal)

ACKNOWLEDGEMENT IN AN INDIVIDUAL CAPACITY

STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me on _____ by _____
(date) (name)

and _____.
(name)

Notary Signature: _____

Title: _____

Commission Expiration: _____

(Stamp/Seal)

ACKNOWLEDGEMENT OF SURETY

STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me on _____ by _____
(date) (name)

as Attorney-in-Fact of _____
(name of surety)

Notary Signature: _____

Title: _____

Commission Expiration: _____

(Stamp/Seal)

NOTICE TO PERSONAL SURETIES: Bond will not be accepted unless accompanied by a sworn financial statement of each of the sureties.

NOTICE TO CORPORATE SURETIES: This bond will not be accepted unless executed by a Minnesota agent, or a duly licensed non-resident-producer, or attorney-in-fact whose name and address must be noted below.

Full Name of Surety Company _____

Home Office Address (Street) _____

City, State and Zip Code _____

Name of Attorney-in-Fact _____

Name of Local Agent and Agency or
Non-Resident Producer and Agency _____

Address of Local Agency or
Non-Resident Producer Agency (street) _____

City, State and Zip Code _____

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Approved and filed _____, 20_____

Commissioner of Transportation
Pursuant to Delegation of Authority