



Financial Services  
Purchasing Division  
215 North Mason Street  
2nd Floor  
PO Box 580  
Fort Collins, CO 80522  
970.221.6775  
970.221.6707 - fax  
[fcgov.com/purchasing](http://fcgov.com/purchasing)

March 4, 2010

Consolidated Divisions, Inc.  
5585 West Airport Road  
Sedalia, CO 80125

RE: 7039 Landscape and Irrigation Improvements at Harmony and Shields

Thank you for submitting a bid to the City of Fort Collins for 7039 Landscape and Irrigation Improvements at Harmony and Shields.

Your firm was not the low bidder and in accordance with contract specifications, your bid bond is being returned to you.

We appreciate the time spent in preparing your bid response and we hope you continue your interest in City of Fort Collins' projects.

If you should have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "James B. O'Neill II". The signature is fluid and cursive, with a large initial "J" and "O".

James B. O'Neill II, CPPO, FNIGP  
Director of Purchasing and Risk Management

Enclosures: Bid Bond

JBO:jkb

SECTION 00410

BID BOND

KNOW ALL MEN BY THESE PRESENTS: that we, the undersigned Consolidated Divisions, Inc. as Principal, and as Surety, are hereby held and firmly bound unto the City of Fort Collins, Colorado, as OWNER, in the sum of \* \$ 5% for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors, and assigns.

\* Five Percent (5%) of the Total Amount of the Bid

THE CONDITION of this obligation is such that whereas the Principal has submitted to the City of Fort Collins, Colorado the accompanying Bid and hereby made a part hereof to enter into a Construction Agreement for the construction of Fort Collins Project, 7039 Landscape and Irrigation Improvements at Harmony and Shields.

NOW THEREFORE,

- (a) If said Bid shall be rejected, or
- (b) If said Bid shall be accepted and the Principal shall execute and deliver a Contract in the form of Contract attached hereto (properly completed in accordance with said Bid) and shall furnish a BOND for his faithful performance of said Contract, and for payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the Agreement created by the acceptance of said Bid, then this obligation shall be void; otherwise the same shall remain in force and effect, it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its BOND shall be in no way impaired or affected by any extension of the time within which the OWNER may accept such Bid; and said Surety does hereby waive notice of any such extension.

Surety Companies executing bonds must be authorized to transact business in the State of Colorado and be accepted by the OWNER.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals this 23rd day of June, 2009, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

**PRINCIPAL**

**SURETY**

Name: Consolidated Divisions, Inc.

First National Insurance Company of America

Address: 5585 West Airport Road

Safeco Plaza

Sedalia, CO 80135

Seattle, WA 98185

By: 

By: 

Title: PRESIDENT

Title: Attorney-In-Fact

ATTEST:

By: 

(SEAL)

(SEAL)





POWER OF ATTORNEY

First National Insurance Company of America  
1001 4th Avenue  
Suite 1700  
Seattle, WA 98154

KNOW ALL BY THESE PRESENTS:

No. 6613

That **FIRST NATIONAL INSURANCE COMPANY OF AMERICA**, a Washington corporation, does hereby appoint  
\*\*\*\*\*SHELLEY CZAJKOWSKI; CELESTE T. HELMS; ANUJ JAIN; SHEILA J. MONTOYA; MONA D. WEAVER;  
AMY WICKETT; ANGELA M. TINDOL; CHARLES M. MCDANIEL; Denver, Colorado\*\*\*\*\*

its true and lawful attorney(s)-in-fact, with full authority to execute on behalf of the company fidelity and surety bonds or undertakings and other documents of a similar character issued by the company in the course of its business, and to bind **FIRST NATIONAL INSURANCE COMPANY OF AMERICA** thereby as fully as if such instruments had been duly executed by its regularly elected officers at its home office.

IN WITNESS WHEREOF, **FIRST NATIONAL INSURANCE COMPANY OF AMERICA** has executed and attested these presents

this 14th day of January, 2009

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of **FIRST NATIONAL INSURANCE COMPANY OF AMERICA**:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of  
**FIRST NATIONAL INSURANCE COMPANY OF AMERICA** adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of **FIRST NATIONAL INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of this corporation, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 23rd day of June, 2009



Dexter R. Legg, Secretary

S-1049/DF 1/09

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