



Financial Services  
Purchasing Division  
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970.221.6775  
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[fcgov.com/purchasing](http://fcgov.com/purchasing)

March 4, 2010

Environment Logistics of Colorado, Inc.  
1101 East 64<sup>th</sup> Avenue  
Denver, CO 80229

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 written in a cursive, flowing style.

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 Environmental Logistics of Colorado, 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 \$ Five Percent of for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors, and assigns.

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.

\*Amount Bid (5%)

# American Contractors Indemnity Company

9841 Airport Blvd., 9<sup>th</sup> Floor Los Angeles, California 90045



## POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That American Contractors Indemnity Company of the State of California, a California corporation, does hereby appoint,

**Donald E. Appleby, DiLynn F. Guern, Janice R. Richards, Susan J. Lattarulo or Mark Sweigart  
of Denver, Colorado**

its true and lawful Attorney(s)-in-Fact, with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an Amount not to exceed \$ \*\*\*\*\*3,000,000.00\*\*\*\*\* This Power of Attorney shall expire without further action on March 18, 2011.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of AMERICAN CONTRACTORS INDEMNITY COMPANY at a meeting duly called and held on the 6<sup>th</sup> day of December, 1990.

*"RESOLVED that the Chief Executive Officer, President or any Vice President, Executive Vice President, Secretary or Assistant Secretary, shall have the power and authority*

- 1. To appoint Attorney(s)-in-Fact and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and,*
- 2. To remove, at any time, any such Attorney-in-Fact and revoke the authority given.*

*RESOLVED FURTHER that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."*

IN WITNESS WHEREOF, American Contractors Indemnity Company has caused its seal to be affixed hereto and executed by its President on the 2nd day of January, 2008.



AMERICAN CONTRACTORS INDEMNITY COMPANY

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

§  
§

By:

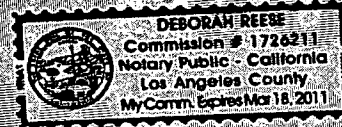
*Adam S. Pessin*

Adam S. Pessin, President

On this 2nd day of January, 2008, before me, Deborah Reese, a notary public, personally appeared Adam S. Pessin, President of American Contractors Indemnity Company, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature *Deborah Reese* (Seal)



I, Jeanne J. Kim, Corporate Secretary of American Contractors Indemnity Company, do hereby certify that the Power of Attorney and the resolution adopted by the Board of Directors of said Company as set forth above, are true and correct transcripts thereof and that neither the said Power of Attorney nor the resolution have been revoked and they are now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of June, 2009

Bond No. Bid Bond

*Jeanne J. Kim*  
Jeanne J. Kim, Corporate Secretary

Agency No. 11705