



Administrative Services  
Purchasing Division

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June 6, 2006

Mountain Constructors, Inc.  
622 Main St.  
Platteville, CO 80651

RE: Bid 5979 Ziegler and Kechter Road Roundabout


Thank you for recently submitting a bid to the City of Fort Collins for bid 5979.

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,



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

Enclosures: Bid Bond

JBO:cj

SECTION 00410

BID BOND

MOUNTAIN

CONSTRUCTORS, INC.

KNOW ALL MEN BY THESE PRESENTS: that we, the undersigned 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 (5%)\*\* for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors, and assigns.

\*EMPLOYERS MUTUAL CASUALTY COMPANY

\*\*of Total Amount of 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, 5979 Ziegler and Kechter Road Roundabout Project.

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 16th day of May, 2006, 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: MOUNTAIN CONSTRUCTORS, INC.

EMPLOYERS MUTUAL CASUALTY COMPANY

Address: 622 Main St.  
Platteville, CO 80651

8181 Tufts Avenue, #550  
Denver, CO 80237

By: Joe Kurtz

By: Vera T. Kalba

Title: President

Title: Attorney-in-Fact

ATTEST:

By: Sandy Arends

(SEAL)

(SEAL)

<b>MEMBER</b> <b>NASBP</b> <small>NATIONAL ASSOCIATION OF SURETY BOND PRODUCERS</small>	<b>MOODY INSURANCE AGENCY, INC.</b> 3773 CHERRY CREEK NORTH DRIVE, SUITE 800 DENVER, COLORADO 80209-3804 PHONE: (303) 824-6600
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# EMC Insurance Companies

P.O. Box 712 • Des Moines, IA 50303-0712

No. 647072

## CERTIFICATE OF AUTHORITY INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

- Employers Mutual Casualty Company, an Iowa Corporation
- EMCASCO Insurance Company, an Iowa Corporation
- Union Insurance Company of Providence, an Iowa Corporation
- Illinois EMCASCO Insurance Company, an Iowa Corporation
- Dakota Fire Insurance Company, a North Dakota Corporation
- EMC Property & Casualty Company, an Iowa Corporation
- The Hamilton Mutual Insurance Company, an Ohio Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint:

**D. N. BROYLES, EVAN E. MOODY, BRAD MOODY, KAREN A. FEGGESTAD, VERA T. KALBA, DANIEL S. FINHOLM,**  
INDIVIDUALLY, DENVER, COLORADO

is true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute its lawful bonds, undertakings, and other obligatory instruments of a similar nature as follows:

### ANY AND ALL BONDS

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

The authority hereby granted shall expire April 1, 2008 unless sooner revoked.

## AUTHORITY FOR POWER OF ATTORNEY

This Power of Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at a regularly scheduled meeting of each company duly called and held in 1999.

**RESOLVED:** The President and Chief Executive Officer, any Vice President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power of attorney issued to them, to execute and deliver on behalf of the Company, and to attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such instrument executed by any such attorney-in-fact shall be fully and in all respects binding upon the Company. Certifications as to the validity of any power-of-attorney authorized herein made by an officer of Employers Mutual Casualty Company shall be fully and in all respects binding upon this Company. The facsimile or mechanically reproduced signature of such officer, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power-of-attorney of the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this 6th day of October, 2005

*Bruce G. Kelley*  
Bruce G. Kelley, Chairman  
of Companies 2, 3, 4, 5 & 6; President  
of Company 1; Vice Chairman and  
CEO of Company 7

*Jeffrey S. Birdsley*  
Jeffrey S. Birdsley  
Assistant Secretary

On this 6th day of October, AD 2005 before me a Notary Public in and for the State of Iowa, personally appeared Bruce G. Kelley and Jeffrey S. Birdsley, who, being by me duly sworn, did say that they are, and are known to me, to be the Chairman, President, Vice Chairman and CEO, and/or Assistant Secretary, respectively, of each of the Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Bruce G. Kelley and Jeffrey S. Birdsley, as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of each of the Companies.  
My Commission Expires September 30, 2006

*Ruta Krumins*  
Notary Public in and for the State of Iowa

### CERTIFICATE

I, David L. Hixenbaugh, Vice President of the Companies, do hereby certify that the foregoing resolution of the Boards of Directors by each of the Companies, and this Power of Attorney issued pursuant thereto on October 6, 2005 on behalf of D. N. Broyles, Evan E. Moody, Brad Moody, Karen A. Feggestad, Vera T. Kalba, Daniel S. Finholm are true and correct and are still in full force and effect.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this \_\_\_\_\_ day of \_\_\_\_\_

*David L. Hixenbaugh*  
Vice President

