

# BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER (Name and Address):

Land-Tech Enterprises, Inc.  
3084B Bristol Road  
Warrington, PA 18976

SURETY (Name, and Address of Principal Place of Business):

Allied World Insurance Company  
30 S. 17th Street, Suite 1600  
Philadelphia, PA 19103

OWNER (Name and Address): Borough of Pottstown

100 E. High Street  
Pottstown, PA 19464

BID

Bid Due Date: May 3, 2019

Description (Project Name— Include Location):

2018 Memorial Park Phase III Improvements - Rebid, Project PTB-18-054

BOND

Bond Number: Bid Bond

Date: May 3, 2019

Penal sum Ten Percent of Amount Bid \$ (10%)  
(Words) (Figures)

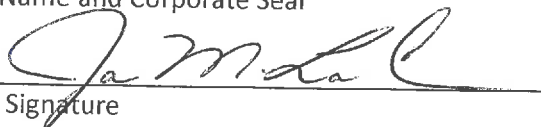
Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

**BIDDER**

**SURETY**

Land-Tech Enterprises, Inc. (Seal) Allied World Insurance Company (Seal)  
Bidder's Name and Corporate Seal Surety's Name and Corporate Seal

By:

  
Signature

By:

  
Signature (Attach Power of Attorney)

Jackie M. LaCross  
Print Name

William L. Rushton  
Print Name

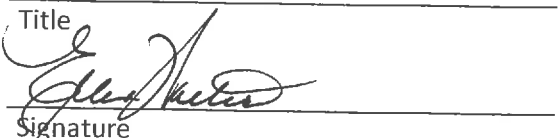
President

Attorney-in-Fact

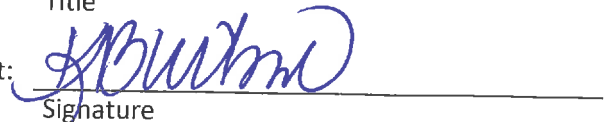
Title

Title

Attest:

  
Signature

Attest:

  
Signature

Ellen Walters, Witness  
Title

Kimberly Burton, Witness  
Title

Note: Addresses are to be used for giving any required notice.

Provide execution by any additional parties, such as joint venturers, if necessary.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
  - 3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
  - 3.2 All Bids are rejected by Owner, or
  - 3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after the Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

## CONSENT OF SURETY

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of \$1.00, lawful money of the United States of America, the receipt whereof is hereby acknowledged, paid the undersigned corporation, and for other valuable consideration, the

Allied World Insurance Company

organized and existing under the laws of the State of New Hampshire and licensed to do business in the State of Pennsylvania certifies and agrees, that if contract for 2018 Memorial Park Phase III Improvements - Rebid, Project PTB-18-054

for Borough of Pottstown

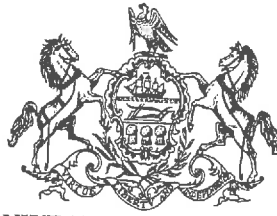
is awarded to Land-Tech Enterprises, Inc. the undersigned Corporation will execute the bond or bonds as required of the contract documents and will become Surety in the full amount set forth in the contract documents for the faithful performance of all obligations of the Contractor.

Signed and Sealed this 3rd day of May, 2019 .

Allied World Insurance Company



William L. Rushton, Attorney-in-Fact



COMMONWEALTH OF PENNSYLVANIA  
INSURANCE DEPARTMENT

# CERTIFICATE OF AUTHORITY

Casualty

Effective Date: April 1, 2018

ALLIED WORLD INSURANCE COMPANY

NAIC NO. 22730

HAS COMPLIED WITH THE REQUIREMENTS OF THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA RELATING TO ADMISSION IN SAID COMMONWEALTH FOR THE PURPOSE OF TRANSACTING INSURANCE BUSINESS IN PENNSYLVANIA AND THAT THE ABOVE NAMED COMPANY IS HEREBY AUTHORIZED TO TRANSACT THE BUSINESS OF:

- |   |  |
|---|--|
| Auto Liability 40 P.S. s 382(c)(11)                   | Boiler and Machinery 40 P.S. s 382(c)(5)       |
| Burglary and Theft 40 P.S. s 382(c)(6)                | Elevator 40 P.S. s 382(c)(9)                   |
| Fidelity and Surety 40 P.S. s 382(c)(1)               | Glass 40 P.S. s 382(c)(3)                      |
| Inland Marine and Physical Damage 40 P.S. s 382(b)(2) | Livestock 40 P.S. s 382(c)(10)                 |
| Mine and Machinery 40 P.S. s 382(c)(12)               | Ocean Marine 40 P.S. s 382(b)(3)               |
| Other Liability 40 P.S. s 382(c)(4)                   | Personal Property Floater 40 P.S. s 382(c)(13) |
| Property and Allied Lines 40 P.S. s 382(b)(1)         | Water Damage 40 P.S. s 382(c)(8)               |
| Workers Compensation 40 P.S. s 382(c)(14)             |  |

FOR THE YEAR ENDING MARCH 31, 2019 IN ACCORDANCE WITH ITS CHARTER AND IN CONFORMITY WITH THE LAWS OF SAID COMMONWEALTH OF PENNSYLVANIA.



IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL, THE DATE AND YEAR FIRST ABOVE WRITTEN.

Jessica K. Altman  
INSURANCE COMMISSIONER



ALLIED WORLD INSURANCE COMPANY  
 199 Water Street  
 New York, NY 10038  
 USA

**POWER OF ATTORNEY**

Issue Date: March 5, 2019

No. 29740-A3280

Single Transaction Limit: \$10,000,000

**KNOW ALL MEN BY THESE PRESENTS:**

Allied World Insurance Company, a New Hampshire corporation (the "Company") does hereby appoint

NAME(s): John R. Waite, Jr. William L. Rushton

FIRM: Allstates Bonding Company, Inc. 331 N. Broad Street Lansdale, PA 19446

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. This Power of Attorney shall remain in full force and effect for one year from the issued date above-referenced and shall expire on close of business of the first anniversary of such Issue Date.

**IN WITNESS WHEREOF**, ALLIED WORLD INSURANCE COMPANY has caused these presents to be executed by the officer named below, who is duly authorized and empowered to execute on the Company's behalf.

This 5th day of March, 2019



*Robert E. Staples*

Name: Robert E. Staples  
 Title: Senior Vice President - Surety

State of Pennsylvania )  
 County of Philadelphia )ss.

On this 5th day of March, 2019, before me came the above-named officer of ALLIED WORLD INSURANCE COMPANY, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seals of said corporation thereto by authority of his office.

*Venue Stamp*

Notary

My Commission Expires: 04/19/2021

**CERTIFICATE**

Excerpt of Resolution adopted by the Board of Directors of the ALLIED WORLD INSURANCE COMPANY (the "Corporation"), on December 31, 2012:

RESOLVED, that the proper officers of the Corporation, the head of the surety business line for the Corporation and their appointed designees (each an "Authorized Officer" and collectively, the "Authorized Officers") be, and each hereby is, authorized to appoint one or more Attorneys-in-Fact to represent and act for and on behalf of the Corporation in the transaction of the Company's surety business to execute (under the common seal of the Corporation, if appropriate) bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof.

RESOLVED, that in connection with the Corporation's transaction of surety business, the signatures and attestations of the Authorized Officers and the seal of the Corporation may be affixed to any such Power of Attorney or to any 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 Corporation when so affixed with respect to any bond, undertaking, recognizance or other contract of indemnity or writing obligatory in the nature thereof.

RESOLVED, that in connection with the Corporation's transaction of surety business, the facsimile or mechanically reproduced signature of any Authorized Officer, whether made heretofore or hereafter, wherever appearing upon a copy of any Power of Attorney of the Corporation, with signatures affixed as next above noted, shall be valid and binding upon the Corporation with the same force and effect as though manually affixed.

RESOLVED, that in connection with the Corporation's transaction of surety business, any such Attorney-in-Fact delivering a secretarial or other certification that the foregoing resolutions still be in effect may insert in such certification the date thereof, said date to be not later than the date of delivery thereof by such Attorney-in-Fact.

RESOLVED, that the Authorized Officers be, and each hereby is, authorized to execute (under the common seal of the Corporation, if appropriate), make, file and deliver in the name and on behalf of the Corporation any and all consents, certificates, agreements, amendments, supplements, instruments and other documents whatsoever, and do any and all other things whatsoever in connection with the Corporation's transaction of surety business, as such Authorized Officer shall in his or her absolute discretion deem or determine appropriate and any of the foregoing resolutions, the transactions contemplated thereby and any ancillary matters thereto and/or to carry out the purposes and intent thereof, such deeming or determination to be conclusively evidenced by any such execution or the taking of any such action by such Authorized Officer.

I, Sung Lee, Secretary of the ALLIED WORLD INSURANCE COMPANY, do hereby certify that the foregoing excerpts of Resolution adopted by the Board of Directors of this corporation, and the Power of Attorney issued pursuant thereto, are true and correct, and that both the Resolution and the Power of Attorney are in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of the corporation, this 3<sup>rd</sup> day of May, 2019.

All Claim Notices should be sent to the below:

Allied World Insurance Company  
 Attn: Surety Department  
 30 South 17<sup>th</sup> Street, Suite 1600  
 Philadelphia, PA 19103

*Sung Lee*

Sung Lee, VP, Legal



ALLIED WORLD INSURANCE COMPANY - NAIC # 22730

CONDENSED STATUTORY BASIS  
FINANCIAL STATEMENT

AS OF DECEMBER 31, 2018

ADMITTED ASSETS

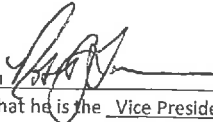
BONDS	349,646,762
STOCKS	74,594,898
INVESTMENT IN SUBSIDIARIES AND AFFILIATES	627,166,937
CASH & SHORT TERM INVESTEMENTS	67,102,188
AGENTS BALANCES OR UNCOLLECTED PREMIUMS	114,803,490
OTHER ASSETS	683,867,027
TOTAL ASSETS	\$ 1,917,181,302

LIABILITIES

RESERVE FOR LOSSES	428,022,917
RESERVE FOR LOSS ADJUSTMENT EXPENSES	152,478,642
RESERVE FOR UNEARNED PREMIUMS	332,191,851
OTHER LIABILITIES	153,124,522
TOTAL LIABILITIES	1,065,817,932

CAPITAL AND SURPLUS

SPECIAL SURPLUS FUNDS	
CAPITAL STOCK	5,000,000
CAPITAL IN EXCESS OF PAR VALUE	1,004,778,350
UNASSIGNED SURPLUS	(158,414,980)
TOTAL CAPITAL AND SURPLUS	851,363,370
TOTAL	\$ 1,917,181,302

In the state of New York, county of Westchester, Robert Larson  personally appeared before the undersigned who being duly sworn, deposes and says that he is the Vice President and Treasurer of Allied World Insurance Company and that the foregoing statement is correct and true.

NOTARY Sworn to and Subscribed before Me this 6<sup>th</sup> day of February 2019  
 Signature Joseph A Riccio My Commission Expires 08/18/2022

**Joseph A Riccio**  
**Notary Public, State of New York**  
**No. 01R16309943**  
**Qualified in Westchester County**  
**Certificate Filed in New York County**  
**Commission Expires August 18, 2022**