

LUST Trust Fund Project

RFP No. ESD7532KAnde120225

DNR's Answers to Questions Posed by Contractors

Contractor Question: We are in the process of obtaining the bid bond for this RFP. Will this bid bond form be acceptable to IDNR? Thanks. (Example listed below)

NAME AND ADDRESS OF INSURANCE COMPANY

ANNUAL PERFORMANCE/PAYMENT BOND SURETY RIDER

To be attached to and form a part of Bond Number _____ dated _____, ____, ____ executed by _____, as Principal, and Insurance Company, as Surety, in favor of _____ as Obligee(s).

Notwithstanding the provisions of the Contract this rider serves to amend the noted bond as follows:

1. This bond is for the term beginning _____, ____, ____ and ending _____, ____.
2. This bond may be extended for additional term(s) of twelve (12) months at the option of the surety, by continuation certificate executed by the surety. At no time will the period of exposure under this bond exceed twelve (12) months. Notification of Non-Renewal shall be given by Certified Mail to the Obligee not later than thirty (30) days prior to the expiration date of the bond. Failure of the surety to issue a Continuation Certificate or otherwise extend the term, shall not constitute a default under the Bond.
3. In the event of default by the principal in the performance of the contract during the term of the bond, the surety shall be liable only for the loss to the Obligee due to the actual excess costs of performance of the contract up to the termination of the term of the bond. Maximum aggregate liability of the Surety is limited to the penal sum of the bond.
4. Any suit under this bond must be instituted before the expiration of two (1) year from the last day of the term of this bond or any continuation thereof. If this limitation is made void by any law controlling the contract hereof, such limitation shall be deemed to be amended to equal the minimum period of limitation permitted by such law.

Signed, sealed and dated this _____ day of _____, ____, ____

Witness:

Client Name

By: _____

By: _____

Insurance Company

By: _____

, Attorney-in-Fact

DNR Answer: No, the attached bond form is not acceptable as a Bid Bond. Contractors must use the Bid Bond form in RFP Attachment #23. Contractors may also elect to submit a cashier's check in the amount of \$5,000 in lieu of a bid bond. After contracts are executed, the cashier's check will be returned to the contractor.