

RESOLUTION No. 2021-19

RESOLUTION IN THE AWARDING OF CONTRACT

WHEREAS, Franklin County did on March 30th, 2021, receive bids on Township Bridge Section 17-02137-00-BR and,

WHEREAS, the bid of the following Company was the lowest bid received for Section 17-02137-00-BR.

THEREFORE, BE IT RESOLVED, by the Members of the Franklin County Board that said County Board awards the contract as follows:

<u>SECTION</u>	<u>LOW BIDDER</u>	<u>AMOUNT</u>
TR 208 Otterson Road	Dees, Inc.	
Section 17-02137-00-BR	2045 Winery Road	\$149,632
Benton Township	West Frankfort, IL 62896	

STATE OF ILLINOIS)

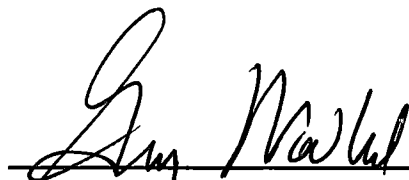
) **SS.**

FRANKLIN COUNTY)

I, Greg Woolard, County Clerk in and for said County, in the State aforesaid and keeper of the records and files thereof, as provided by stature, do hereby certify the foregoing to be a true, perfect, and complete copy of a resolution adopted by the Members of the Franklin County Board at its meeting held at Benton, Illinois, on April 19th, 2021 A.D.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Benton, Illinois, in said County this 19th day of April, 2021 A.D.

(SEAL)



FRANKLIN COUNTY CLERK



Local Public Agency Formal Contract



Contractor's Name

Dees, Inc.

Contractor's Address

2045 Winery Road

City

West Frankfort

State

IL

Zip Code

62896

STATE OF ILLINOIS

Local Public Agency

Franklin County

County

Franklin

Section Number

17-02137-00-BR

Street Name/Road Name

TR 208 Otterson Road

Type of Funds

TBP, LOCAL

CONTRACT BOND (when required)

For a County and Road District Project

Submitted/Approved

Highway Commissioner Signature

Date

[Handwritten Signature]

4-23-21

Submitted/Approved

County Engineer/Superintendent of Highways

Date

[Handwritten Signature]

4/19/21

For a Municipal Project

Submitted/Approved/Passed

Signature

Date

[Blank Signature Box]

[Blank Date Box]

Official Title

[Blank Title Box]

Department of Transportation

Concurrence in approval of award

Regional Engineer Signature

Date

Keith Roberts DR

4-27-21

Local Public Agency	Local Street/Road Name	County	Section Number
Franklin County	TR 208 Otterson Road	Franklin	17-02137-00-BR

1. THIS AGREEMENT, made and concluded the 19th day of April, 2021 between the County of Franklin, known as the party of the first part, and Dees, Inc., its successor, and assigns, known as the party of the second part.

2. For and in consideration of the payments and agreements mentioned in the Proposal hereto attached, to be made and performed by the party of the first part, and according to the terms expressed in the Bond referring this contract, the party of the second part agrees with said party of the first part, at its own proper cost and expense, to do all the work, furnish all materials and all labor necessary to complete the work in accordance with the plans and specifications hereinafter described, and in full compliance with all of the terms of this contract.

3. It is also understood and agreed that the LPA Formal Contract Proposal, Special Provisions, Affidavit of Illinois Business Office, Apprenticeship or Training Program Certification, and Contract Bond hereto attached, and the Plans for Section 17-02137-00-BR in Franklin County, approved by the Illinois Department of Transportation on 03/18/21, are essential documents of this contract and are a part hereof.

4. IN WITNESS WHEREOF, the said parties have executed this contract on the date above mentioned.

Attest: The County of Franklin

Clerk [Signature] Date 4/19/21

(SEAL)

Party of the First Part Date 4/19/21

Corporate Name DEES, INC.

President, Party of the Second Part Date 4-6-21

(If a Limited Liability Corporation)

LLC Name

Manager or Authorized Member, Party of the Second Part

(If a Partnership)

Partner Date

Partner Date

Partners doing Business under the firm name of Party of the Second Part

(If an individual) Party of the Second Part Date

Attest: Secretary [Signature] Date 4-6-21

(SEAL)

Instructions for BLR 12320 - Page 1 of 2
Instructions are not to be submitted with the form.

This form shall be used to execute Local Public Agency (LPA) contracts. The successful bidder must complete this form for formal contract proposals. Refer to Chapter 12 of the Bureau of Local Roads and Streets Manual (BLRS) for more information. For signature requirements, refer to Chapter 2, Section 3.05(b) of the BLRS Manual.

When filling out this form electronically, once a field is initially completed, fields requiring the same information will auto-populate.

Contractor's Name	Insert Contractor's name.
Contractor's Address	Insert Contractor's address.
Local Public Agency	Insert the name of the LPA.
County	Insert the name of the County in which the LPA is located.
Section Number	Insert the section number assigned to this project without dashes.
Street Name/Road Name	Insert the name of the street/road on which the project is located. For projects that include several streets or routes insert various.
Type of Funds	Insert the type of funds being used to fund this project.
For a County and Road District Project	
Highway Commissioner Signature	For a Road District Project the Highway Commissioner shall sign and date here.
County Engineer/Superintendent of Highways	For a road district project or county project, the County Engineer/Superintendent of Highways shall sign and date here.
For a Municipal Project	
Signature and Date	For a Municipal project the appropriate municipal official shall sign and date here.
Official Title	Insert the title of the official who signed above.
Department of Transportation	
Regional Engineer Signature & Date	Upon a limited review the Regional Engineer shall sign and date here.
#1	
Day	Insert the Day the contract is made between the two parties.
Month, Year	Insert the month and year that corresponds to the date listed to the left.
Local Public Agency Type	From the drop-down, select the LPA type.
Local Public Agency	Insert the name of the LPA.
#3	
Section Number	Insert the section number without dashes that applies to this project.
Local Public Agency	This field is automatically completed based on previous entries.
Date	Insert the date the documents for bidding were approved by IDOT.
#4	
Local Public Agency Type	From the drop-down list, select the LPA type.
Local Public Agency	Insert the name of the local public agency.

Instructions for BLR 12320 - Page 1 of 2

Signatures

Local Public Agency Clerk

LPA Clerk shall sign, seal and date here.

By:

The awarding authority duly designated contracting official must sign and date here.

If a corporation

Corporate Name

If a corporation, insert the name of the corporation, followed by the signature of the corporate president with the date of signature.

Attest

The secretary of the corporation shall sign and date here.

If a partnership

Partner Signature

If a partnership, the first partner must sign and date here. The second partner must sign and date the line below.

Party of the Second Part

If a partnership insert the name of the corporation.

If an Individual

If an individual the successful bidder shall sign and date here.

A minimum of four (4) signed originals must be submitted to the Regional Engineer's District office.

Following the Regional Engineer's approval, distribution will be as follows:

Local Public Agency Clerk

Successful Bidder

Engineer (Municipal, Consultant or County)

District File



Contract Bond

Bond # 39S222614



Local Public Agency	County	Street Name/Road Name	Section Number
Franklin County	Franklin	TR 208 Otterson Road	17-02137-00-BR

Bond information to be returned to Local Public Agency at 13034 Oddfellows Lane, Benton, IL 62812
Complete Address

We, Dees, Inc.
Contractor's Name and Address

a/an _____ organized under the laws of the State of Illinois as PRINCIPAL, and
State

The Ohio Casualty Insurance Co, 136 N. Third St, Hamilton, OH 45025
Surety Name and Address

as SURETY, are held and firmly bound unto the above Local Public Agency (hereafter referred to as "LPA") in the penal sum of
One hundred forty nine thousand, six hundred thirty two dollars

Dollars (\$149,632.00) lawful money of the United States, to be paid to said LPA, the payment of which we bind ourselves, successors and assigns jointly to pay to the LPA this sum under the conditions of this instrument.

WHEREAS, THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH that the said Principal has entered into a written contract with the LPA acting through its awarding authority for the construction of work on the above sections, which contract is hereby referred to and made a part hereof, as if written herein at length, and whereby the said Principal has promised and agreed to perform said work in accordance with the terms of said contract, and has promised to pay all sums of money due for any labor, materials, apparatus, fixtures or machinery furnished to such Principal for the purpose of performing such work and has further agreed to pay all direct and indirect damages to any person, firm, company or corporation to whom any money may be due from the Principal, subcontractor or otherwise for any such labor, materials, apparatus, fixtures or machinery so furnished and that suit may be maintained on such bond by any such person, firm, company or corporation for the recovery of any such money.

NOW, THEREFORE, if the said Principal shall perform said work in accordance with the terms of said contract, and shall pay all sums of money due or to become due for any labor, materials, apparatus, fixtures or machinery furnished to it for the purpose of constructing such work, and shall commence and complete the work within the time prescribed in said contract, and shall pay and discharge all damages, direct and indirect, that may be suffered or sustained on account of such work during the time of the performance thereof and until the said work shall have been accepted, and shall hold the LPA and its awarding authority harmless on account of any such damages and shall in all respects fully and faithfully comply with all the provisions, conditions and requirements of said contract, then this obligation shall be void; otherwise it shall remain in full force and effect.

IN TESTIMONY WHEREOF, the said PRINCIPAL and the said SURETY have caused this instrument to be signed by their respective agents this 7th day of April, 2021.
Day Month and Year

PRINCIPAL

Company Name
Dees, Inc.

Company Name

By
Signature & Title [Signature] Date 4-6-21

By
Signature & Title _____ Date _____

Attest
Signature & Title [Signature] Date 4-6-21

Attest
Signature & Title _____ Date _____

(If PRINCIPAL is a joint venture of two or more contractors, the company names and authorized signature of each contractor must be affixed.)

STATE OF IL
COUNTY OF FRANKLIN

I, Rebecca A. Pangburn, a Notary Public in and for said county, do hereby certify that

Notary Name

Scot Dees and Bret Dees

Insert name of Individuals signing on behalf of PRINCIPAL

who is/are each personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument on behalf of PRINCIPAL, appeared before me this day in person and acknowledged respectively, that he/she/they signed and delivered said instrument freely and voluntarily for the uses and purposes therein set forth.

Given under my hand and notarial seal this 7th day of April, 2021.

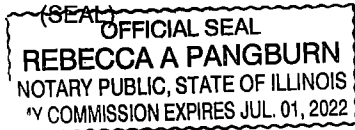
Day

Month, Year

Notary Public Signature

Rebecca A. Pangburn

Date commission expires 7-1-2022



SURETY

Name of Surety

The Ohio Casualty Insurance Co.

Title Attorney-in-fact

By: Karna L Swalls

STATE OF IL
COUNTY OF FRANKLIN

I, Rebecca A. Pangburn, a Notary Public in and for said county, do hereby certify that

Notary Name

Karna L Swalls

Insert name of Individuals signing on behalf of PRINCIPAL

who is/are each personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument on behalf of SURETY, appeared before me this day in person and acknowledged respectively, that he/she/they signed and delivered said instrument freely and voluntarily for the uses and purposes therein set forth.

Given under my hand and notarial seal this 7th day of April, 2021.

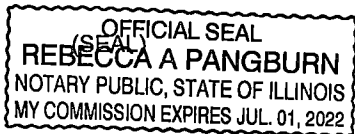
Day

Month, Year

Notary Public Signature

Rebecca A. Pangburn

Date commission expires 7-1-2022



Approved this 19th day of April, 2021

Day

Month, Year

Attest:

Local Public Agency Clerk Signature

Date

[Signature]

4/19/21

County _____ Clerk
Local Public Agency Type _____

Awarding Authority

Franklin County

Awarding Authority Signature

Date

[Signature]

4/19/21

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED-BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 7914459

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, **Judith K. Riley, Marshall A. Sheffer, Jared Sheffer, Karna L. Swalls**

all of the city of Herrin state of IL each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 17th day of October, 2017.



The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 17th day of October, 2017, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company, which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12: Power of Attorney: Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power of authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5: Surety Bonds and Undertakings: Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 7th day of April, 2021



By: Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

OLD REPUBLIC SURETY COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint:

JUDITH K. RILEY, MARSHALL A. SHEFFER, KARNA L. SWALLS, JARED SHEFFER, DEBRA HEDRICK, OF HERRIN, IL

its true and lawful Attorney(s)-in-Fact, with full power and authority, for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, (other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits or black lung bonds), as follows:

ALL WRITTEN INSTRUMENTS

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

RESOLVED that, the president, any vice-president, or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
- (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

RESOLVED FURTHER, that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification there of authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 23RD day of DECEMBER, 2020.

Karna J. Staffner

Assistant Secretary



OLD REPUBLIC SURETY COMPANY

Alan Pavlic

President

STATE OF WISCONSIN, COUNTY OF WAUKESHA-SS

On this 23RD day of DECEMBER, 2020, personally came before me, Alan Pavlic and Karen J. Haffner, to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say; that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.



Kathryn R. Pearson
Notary Public

My commission expires: 9/28/2022

(Expiration of notary commission does not invalidate this instrument)

CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

40-3660



Signed and sealed at the City of Brookfield, WI this 7th day of April, 2021.

Karna J. Staffner

Assistant Secretary

SHEFFER INSURANCE AGENCY, LLC



Illinois Department of Transportation

Division of Highways / Region 5 / District 9
P.O. Box 100 / Carbondale, Illinois / 62903-0100
Telephone 618/549-2171

April 27, 2021

TOWNSHIP ROADS
Franklin County
Benton Road District
Route: TR203
Section: 17-02137-00-BR

FILED
MAY 03 2021

FRANKLIN CO. CLERK

Mr. Michael Rolla
Franklin Co Engineer
1334 Odd Fellow Lane
Benton, IL 62812

Dear Mr. Rolla,

The contract in the amount of \$149,632.00 between Franklin County and Dees, Inc. for the construction of the above section was approved today.

One approved copy of the contract is returned herewith and one is being sent to the contractor.

Very truly yours,

Keith Roberts, P.E.
Acting Region Five Engineer

Douglas Helfrich

By: Doug Helfrich
Acting Project Implementation Engineer

GDS:aln
Attachment

cc: Dees, Inc.

County Clerk