

PERFORMANCE BOND

Bond # _____

KNOW ALL MEN BY THESE PRESENTS that we

Principal

Surety

<i>Company Name</i>	_____	<i>and</i>	_____
<i>Address</i>	_____		_____
<i>City, State, Zip</i>	_____		_____
<i>Contact & Phone #</i>	_____		_____

are held and firmly bound unto the Missouri Highway and Transportation Commission in the penal sum of \$_____ (Minimum of One Thousand Dollars), good and lawful money of the United States, to be paid to the Missouri Highway and Transportation Commission, its successors or assigns, for which payment well and truly to be made, we bind ourselves, our agents, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seal and dated this _____ day of _____, 20_____.

WHEREAS, the above bounden principal has applied and will apply to the Missouri Highway and Transportation Commission for permission to construct facilities on or across certain state highways in Missouri and agrees to construct all said facilities and all attachments at such places as the Chief Engineer of the Missouri Highway and Transportation Commission or its District Engineer shall designate and agrees not to trim or cut any trees or shrubs within or along any state highway right-of-way without detailed written permission of the District Engineer, therefore, and will always install said facilities and fixtures to the satisfaction of the District Engineer and in such a way as to not be a hazard to the traveling public or interfere with the maintenance of the highway.

NOW, THEREFORE, the condition of this obligation is such that if the said principal, its successors, assigns, executors, administrators, employees, agents, or contractors shall at all times as long as any construction work is being performed within a state highway duly observe and perform each and every agreement, covenant and condition, as set out above, that is to be observed and performed by said principal, then this obligation shall be void, otherwise to remain in full force and effect until ninety (90) days after written notice of termination or cancellation shall be given to the Chief Engineer of the Missouri Highway and Transportation Commission by the surety.

ATTEST:

_____	<i>Principal</i>
<i>Corporate Secretary</i>	By _____
<i>(Corporate Seal)</i>	<i>Official Title</i>
<i>(Surety Seal)</i>	_____
	<i>Surety</i>
<i>*Countersigned</i>	By _____
By _____	<i>Signature of Attorney-in-Fact</i>
<i>Signature</i>	_____
<i>Agent or Broker</i>	<i>Print or Type Name</i>
<i>City</i>	_____

NOTE: Power of Attorney for persons signing for Surety Company must accompany this bond. A Corporation Acknowledgment or Individual Acknowledgment must accompany this bond for the Principal. An Acknowledgment is not necessary for the Surety.

* If Attorney-in-Fact for Surety is not a Missouri resident, a copy of their Missouri license is required, or the bond must be countersigned by an agent or broker licensed by the Director of the Missouri Division of Insurance. If the countersigner is not a Missouri resident, a copy of their Missouri license is required.

PRINCIPAL'S ACKNOWLEDGMENT

1. FORM TO BE USED IF PRINCIPAL IS AN INDIVIDUAL

State of _____)
)ss.
County of _____)

On this _____ day of _____, 20 _____, before me personally

appeared _____ to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Notary Public

My Commission Expires _____.

2. FORM TO BE USED IF PRINCIPAL IS A PARTNERSHIP OR UNINCORPORATED COMPANY

State of _____)
)ss.
County of _____)

On this _____ day of _____, 20 _____, before me personally

appeared _____ to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Notary Public

My Commission Expires _____.

3. FORM TO BE USED IF PRINCIPAL IS A CORPORATION

State of _____)
)ss.
County of _____)

On this _____ day of _____, 20 _____, before me personally

appeared _____ to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Notary Public

My Commission Expires _____.

INSTRUCTIONS

Performance Bond Form

1. Complete one Performance Bond form for all permit work being conducted by the Principal and Surety listed on the form.
2. Insert Bond #.
3. Insert Principal and Surety contact information completely (phone numbers are required).
4. Insert dollar amount of bond.
5. Insert date form was sealed and completed.
6. Insert the Surety's embossed seal on the bond. The bond cannot be processed unless the seal is provided.
7. Complete all signatures. (*Electronic signatures are not accepted*)
 - If Attorney-in-Fact is not a Missouri resident, a copy of their Missouri license is required, or the bond must be countersigned by an agent or broker licensed by the Director of the Missouri Division of Insurance.
 - If the countersigner is not a Missouri resident, a copy of their Missouri license is required.
8. Acquire a Power of Attorney form from Attorney-in-Fact.

Principal's Acknowledgement

1. Receive notarization for the appropriate section of the form dependent on the type of principal:
 - Individual
 - Partnership or Unincorporated Company
 - Corporation

Mail Performance Bond form (with completed Principal's Acknowledgement), copy of the Attorney-in-Fact's or Countersigner's Missouri License, and Power of Attorney form to:

Highway Safety and Traffic (Performance Bond)
MoDOT
PO Box 270
Jefferson City, MO 65102

For questions, contact MoDOT Highway Safety and Traffic at (573) 751-7643.