



Office of the City Engineer
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M E M O R A N D U M

TO: West Lafayette Board of Public Works and Safety

FROM: David M. Buck, P.E.
City Engineer

DATE: February 7, 2011

SUBJECT: **Release of Walmart Maintenance Bond**

I recommend the following maintenance bond be released by the West Lafayette Board of Public Works and Safety:

Bond No. 104669044 (Walmart)

Duplicate Original

TR #6592

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That we Wal-Mart Real Estate Business Trust dba Store #2339, 2001 SE 10th Street, Bentonville, AR 72716, Principal, and Travelers Casualty & Surety Company of America, Surety, are held and firmly bound unto City of West Lafayette, Oblige in the sum of Twenty Eight Thousand Six Hundred Thirty Five and NO/100 US Dollars (\$28,635.00 USD) for the payment of which we bind ourselves, our legal representatives, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has entered into an Agreement for with the City of Lafayette shown on plans Prepared by Crawford, Murphy and Tilly, collectively established as the "Contract" copy of which contract is by reference made a part hereof.

WHEREAS, said contract provides that the Principal will furnish a bond conditioned to guarantee for the period of Five (5) year(s) after approval of the final estimate on said job by the owner, against all defects in workmanship and materials which may become apparent during said period, and

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH THAT, if the Principal shall indemnify the Oblige for all loss that the Oblige may sustain by reason of any defective materials or workmanship which become apparent during the period of Five (5) year(s) from and after October 26, 2005 then this obligation shall be void, otherwise to remain in full force and effect.

SIGNED, SEALED, AND DATED THIS 10th DAY OF January, 20 06.

Wal-Mart Real Estate Business Trust dba Store #2339 (Seal)

(Principal)

By: [Signature]

Michael Gardner Regional RE Assistant Vice President
Name and Title

Design + Real Estate

Traveler Casualty & Surety Company of American (Seal)

(Surety)

By: [Signature]
JoAnn R. Frank Attorney-in-Fact

ACKNOWLEDGMENT BY SURETY

STATE OF Missouri }
City of St. Louis } ss.

On this 10th day of January, 2006, before me personally appeared JoAnn R. Frank, known to me to be the Attorney-in-Fact of Travelers Casualty and Surety Company of America

Travelers Casualty and Surety Company of America, the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

My Commission Expires: October 6, 2009.

Heidi A. Notheisen

Heidi A. Notheisen
Notary Public in the State of Missouri
City of St. Louis

(Seal)

HEIDI A. NOTHEISEN
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI, ST. LOUIS CITY
MY COMMISSION EXPIRES 10-06-09
COMMISSION #05514582

IN WITNESS WHEREOF, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY have caused this instrument to be signed by their Senior Vice President and their corporate seals to be hereto affixed this 8th day of October, 2003.

STATE OF CONNECTICUT

)SS. Hartford

COUNTY OF HARTFORD

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
TRAVELERS CASUALTY AND SURETY COMPANY
FARMINGTON CASUALTY COMPANY



By *George W. Thompson*
George W. Thompson
Senior Vice President

On this 8th day of October, 2003 before me personally came GEORGE W. THOMPSON to me known, who, being by me duly sworn, did depose and say: that he/she is Senior Vice President of TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY, the corporations described in and which executed the above instrument; that he/she knows the seals of said corporations; that the seals affixed to the said instrument are such corporate seals; and that he/she executed the said instrument on behalf of the corporations by authority of his/her office under the Standing Resolutions thereof.



Marie C. Tetreault

My commission expires June 30, 2006 Notary Public
Marie C. Tetreault

CERTIFICATE

I, the undersigned, Assistant Secretary of TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, TRAVELERS CASUALTY AND SURETY COMPANY and FARMINGTON CASUALTY COMPANY, stock corporations of the State of Connecticut, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney and Certificate of Authority remains in full force and has not been revoked; and furthermore, that the Standing Resolutions of the Boards of Directors, as set forth in the Certificate of Authority, are now in force.

Signed and Sealed at the Home Office of the Company, in the City of Hartford, State of Connecticut. Dated this 10th day of January, 20 06



By *Tim Johanson*
Karl M. Johanson
Assistant Secretary, Bond

West Lafayette Expansion #2339-02
OPC for Forcemain & Gravity Sewer Relocation
15-Apr-04
Crawford, Murphy and Tilly, Inc.

Description	Unit Cost	Unit	Units	Cost
8" PVC Sewer	\$48	lf	250	\$12,000
10" PVC Forcemain	\$50	lf	1,030	\$51,500
12" PVC Sewer	\$62	lf	1,760	\$109,120
Manholes	\$6	ea	2,500	\$15,000
Connection to Existing Forcemain	\$2	ea	2,000	\$4,000
Sewer abandonment	\$1	ls	3,000	\$3,000
Exploratory Excavation	\$20	cy	750	\$15,000
Aggregate for Access Road, 6 in	\$1,200	cy	25	\$30,000
Contingency (5%)				\$11,981.00
Contractor O&P(14.5%)				\$34,744.90
TOTAL				\$286,346