

**Bid For:**

Soniat Canal Timber Bulkhead Replacement

Bid No. 50-00135200

Project No. 2019-033-DR

**Bid Date & Time:** 10/28/2021 at 2:00 PM

**Addenda Acknowledged:** 1

**To:**

Jefferson Parish

Purchasing Department

200 Derbigny Street, Suite 4400

Gretna, LA 70053

**Submitted By:**

CAYO, LLC

1400 Everman Pkwy, Suite 116

Fort Worth, TX 76140

Louisiana Contractor's License No. 56546

Bid Bond No. SLA21216012

LOUISIANA UNIFORM PUBLIC WORK BID FORM

TO: Jefferson Parish Purchasing  
200 Derbigny Street, Suite 4400  
Gretna, LA 70053

(Owner to provide name and address of owner)

BID FOR: Soniat Canal Timber Bulkhead Replacement  
Project No. 2019-033-DR  
Bid No. 50-00135200

(Owner to provide name of project and other identifying information)

The undersigned bidder hereby declares and represents that she/he; a) has carefully examined and understands the Bidding Documents, b) has not received, relied on, or based his bid on any verbal instructions contrary to the Bidding Documents or any addenda, c) has personally inspected and is familiar with the project site, and hereby proposes to provide all labor, materials, tools, appliances and facilities as required to perform, in a workmanlike manner, all work and services for the construction and completion of the referenced project, all in strict accordance with the Bidding Documents prepared by: Shread-Kuyrkendall & Associates, Inc. and dated: May 2021

(Owner to provide name of entity preparing bidding documents.)

Bidders must acknowledge all addenda. The Bidder acknowledges receipt of the following **ADDENDA:** (Enter the number the Designer has assigned to each of the addenda that the Bidder is acknowledging) No. 1

**TOTAL BASE BID:** For all work required by the Bidding Documents (including any and all unit prices designated "Base Bid" \* but not alternates) the sum of:

Four Million Seven Hundred Nintety Three Thousand Four Hundred Fifty and Zero Cents Dollars (\$ 4,793,450.00 )

**ALTERNATES:** For any and all work required by the Bidding Documents for Alternates including any and all unit prices designated as alternates in the unit price description.

**Alternate No. 1** (Owner to provide description of alternate and state whether add or deduct) for the lump sum of:

N/A Dollars (\$ \_\_\_\_\_ )

**Alternate No. 2** (Owner to provide description of alternate and state whether add or deduct) for the lump sum of:

N/A Dollars (\$ \_\_\_\_\_ )

**Alternate No. 3** (Owner to provide description of alternate and state whether add or deduct) for the lump sum of:

N/A Dollars (\$ \_\_\_\_\_ )

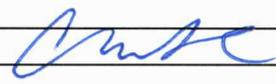
**NAME OF BIDDER:** CAYO, LLC

**ADDRESS OF BIDDER:** 1400 Everman Pkwy., Suite 116, Fort Worth, Texas 76140

**LOUISIANA CONTRACTOR'S LICENSE NUMBER:** 56546

**Name OF AUTHORIZED SIGNATORY OF BIDDER:** Chris Saul

**TITLE OF AUTHORIZED SIGNATORY OF BIDDER:** Vice President

**SIGNATURE OF AUTHORIZED SIGNATORY OF BIDDER \*\*:** 

**DATE:** 10/28/2021

**THE FOLLOWING ITEMS ARE TO BE INCLUDED WITH THE SUBMISSION OF THIS LOUISIANA UNIFORM PUBLIC WORK BID FORM:**

\* The Unit Price Form shall be used if the contract includes unit prices. Otherwise it is not required and need not be included with the form. The number of unit prices that may be included is not limited and additional sheets may be included if needed.

\*\* **A CORPORATE RESOLUTION OR WRITTEN EVIDENCE** of the authority of the person signing the bid for the public Work as prescribed by LA R.S. 38:2212(B)(5).

**BID SECURITY** in the form of a bid bond, certified check or cashier's check as prescribed by LA RS 38:2218.(A) attached to and made a part of this bid.

**LOUISIANA UNIFORM PUBLIC WORK BID FORM**  
**UNIT PRICE FORM**

**Jefferson Parish Purchasing**  
**200 Derbigny Street, Suite 4400**  
**Gretna, LA 70053**

**BID FOR: Soniat Canal Timber Bulkhead Replacement**  
**Project No. 2019-033-DR**  
**Bid No. 50-00135200**

(Owner to provide name and address of owner)

(Owner to provide name of project and other identifying information)

UNIT PRICES: This form shall be used for any and all work required by the Bidding Documents and described as unit prices. Amounts shall be stated in figures and only in figures.

|   |           |                  |              |   |
|---|-----------|------------------|--------------|---|
| DESCRIPTION: <input checked="" type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.# ___ MOBILIZATION/DEMOBILIZATION                   |           |                  |              |   |
| REF. NO.  | QUANTITY: | UNIT OF MEASURE: | UNIT PRICE   | UNIT PRICE EXTENSION ( <i>Quantity times Unit Price</i> ) |
| 1   | 1         | LS               | \$450,000.00 | \$450,000.00  |
| DESCRIPTION: <input checked="" type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.# ___ DEMOLITION OF BULKHEADS & FENCING             |           |                  |              |   |
| REF. NO.  | QUANTITY: | UNIT OF MEASURE: | UNIT PRICE   | UNIT PRICE EXTENSION ( <i>Quantity times Unit Price</i> ) |
| 2   | 1800      | LF               | \$175.00     | \$315,000.00  |
| DESCRIPTION: <input checked="" type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.# ___ EMBANKMENT                                    |           |                  |              |   |
| REF. NO.  | QUANTITY: | UNIT OF MEASURE: | UNIT PRICE   | UNIT PRICE EXTENSION ( <i>Quantity times Unit Price</i> ) |
| 3   | 4000      | CU YD            | \$90.00      | \$360,000.00  |
| DESCRIPTION: <input checked="" type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.# ___ INSTALLATION OF STEEL SHEETPILE (PZ 22 X 20') |           |                  |              |   |
| REF. NO.  | QUANTITY: | UNIT OF MEASURE: | UNIT PRICE   | UNIT PRICE EXTENSION ( <i>Quantity times Unit Price</i> ) |
| 4   | 35050     | SQ FT            | \$45.00      | \$1,577,250.00  |
| DESCRIPTION: <input checked="" type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.# ___ INSTALL REINFORCED CONCRETE SHEET PILE CAP    |           |                  |              |   |
| REF. NO.  | QUANTITY: | UNIT OF MEASURE: | UNIT PRICE   | UNIT PRICE EXTENSION ( <i>Quantity times Unit Price</i> ) |
| 5   | 1752      | LF               | \$600.00     | \$1,051,200.00  |
| DESCRIPTION: <input checked="" type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.# ___ FENCING                                       |           |                  |              |   |
| REF. NO.  | QUANTITY: | UNIT OF MEASURE: | UNIT PRICE   | UNIT PRICE EXTENSION ( <i>Quantity times Unit Price</i> ) |
| 6   | 1500      | LF               | \$80.00      | \$120,000.00  |
| DESCRIPTION: <input checked="" type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.# ___ GRADING AND SOD                               |           |                  |              |   |
| REF. NO.  | QUANTITY: | UNIT OF MEASURE: | UNIT PRICE   | UNIT PRICE EXTENSION ( <i>Quantity times Unit Price</i> ) |
| 7   | 2500      | SQ YD            | \$25.00      | \$62,500.00   |
| DESCRIPTION: <input checked="" type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.# ___ TEMPORARY CONSTRUCTION SIGNS AND BARRICADES   |           |                  |              |   |
| REF. NO.  | QUANTITY: | UNIT OF MEASURE: | UNIT PRICE   | UNIT PRICE EXTENSION ( <i>Quantity times Unit Price</i> ) |
| 8   | 1         | LS               | \$70,000.00  | \$70,000.00   |
| DESCRIPTION: <input checked="" type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.# ___ REMOVE AND REPLACE SLOPE PAVING               |           |                  |              |   |
| REF. NO.  | QUANTITY: | UNIT OF MEASURE: | UNIT PRICE   | UNIT PRICE EXTENSION ( <i>Quantity times Unit Price</i> ) |
| 9   | 2500      | SQ YD            | \$275.00     | \$687,500.00  |
| DESCRIPTION: <input checked="" type="checkbox"/> Base Bid or <input type="checkbox"/> Alt.# ___ RELOCATION OF INFRASTRUCTURE ITEMS            |           |                  |              |   |
| REF. NO.  | QUANTITY: | UNIT OF MEASURE: | UNIT PRICE   | UNIT PRICE EXTENSION ( <i>Quantity times Unit Price</i> ) |
| 10  | 1         | LS               | 100,000.00   | ONE HUNDRED THOUSAND & NO/100 DOLLARS                     |

Wording for "DESCRIPTION" is to be provided by the Owner

All quantities are estimated. The contractor will be paid upon actual quantities as verified by Owner.

# CAYO, LLC

## AUTHORITY TO ACT AND EXECUTE

This letter of authority on behalf of CAYO, LLC, a Texas Limited Liability Company, certifies that Chris Saul, Vice President of CAYO, LLC, has the authority to act, execute, and bind CAYO, LLC.

Pursuant to the requirements of LSA-R.S. 38:2212(B)(5)(b), Chris Saul is authorized with full power and authority to act on behalf of this Company to execute all bid proposals, surety bonds, contracts, and any other documents required of the Company for the furnishing of goods or services for which this Company might enter into with public entities.

CAYO, LLC  
1400 Everman Parkway, Suite 116  
Fort Worth, TX 76140  
Ph: (817) 568-6828 x221  
Fx: (817) 977-9119



Signature of Authorized Representative

Print Name Blake Dwoskin  
Print Title President

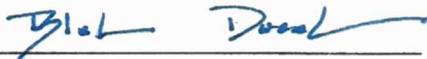
Blake Dwoskin and Chris Saul, being the sole Members and Managers of CAYO, LLC, do hereby execute.



Signature of Authorized Representative

Print Name Chris Saul

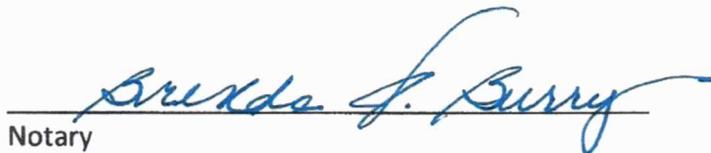
Print Title Member/Manager



Signature of Authorized Representative

Print Name Blake Dwoskin

Print Title Member/Manager



Notary

State of Texas, County of Tarrant

My commission expires: 12/20/2021



Public Works Bid

AFFIDAVIT

STATE OF Texas

PARISH/COUNTY OF Tarrant

BEFORE ME, the undersigned authority, personally came and appeared: Chris Saul  
\_\_\_\_\_, (Affiant) who after being by me duly sworn, deposed and said that  
he/she is the fully authorized Vice President of CAYO, LLC (Entity),  
the party who submitted a bid in response to Bid Number 50-00135200, to the Parish of  
Jefferson.

Affiant further said:

Campaign Contribution Disclosures

**(Choose A or B, if option A is indicated please include the required attachment):**

Choice A \_\_\_\_\_ Attached hereto is a list of all campaign contributions, including the date and amount of each contribution, made to current or former elected officials of the Parish of Jefferson by Entity, Affiant, and/or officers, directors and owners, including employees, owning 25% or more of the Entity during the two-year period immediately preceding the date of this affidavit or the current term of the elected official, whichever is greater. Further, Entity, Affiant, and/or Entity Owners have not made any contributions to or in support of current or former members of the Jefferson Parish Council or the Jefferson Parish President through or in the name of another person or legal entity, either directly or indirectly.

Choice B X there are NO campaign contributions made which would require disclosure under Choice A of this section.

Affiant further said:

Debt Disclosures

**(Choose A or B, if option A is indicated please include the required attachment):**

Choice A \_\_\_\_\_ Attached hereto is a list of all debts owed by the affiant to any elected or appointed official of the Parish of Jefferson, and any and all debts owed by any elected or appointed official of the parish to the Affiant.

Choice B X \_\_\_\_\_ There are NO debts which would require disclosure under Choice A of this section.

Affiant further said:

That Affiant has employed no person, corporation, firm, association, or other organization, either directly or indirectly, to secure the public contract under which he received payment, other than persons regularly employed by the Affiant whose services in connection with the construction, alteration or demolition of the public building or project or in securing the public contract were in the regular course of their duties for Affiant; and

That no part of the contract price received by Affiant was paid or will be paid to any person, corporation, firm, association, or other organization for soliciting the contract, other than the payment of their normal compensation to persons regularly employed by the Affiant whose services in connection with the construction, alteration or demolition of the public building or project were in the regular course of their duties for Affiant.

Affiant further said:

Affiant personally has not been convicted of, nor has he/she entered into a plea of guilty or nolo contendere to any of the crimes or equivalent federal crimes listed below. No individual partner, incorporator, director, manager, officer, organizer, or member, who has a minimum of a ten percent ownership in the Bidding Entity, has been convicted of, or has entered a plea of guilty or nolo contendere to any of the crimes or equivalent federal crimes listed below. A conviction of or plea of guilty or nolo contendere to the following state crimes or equivalent federal crimes shall permanently bar any person or the bidding entity from bidding on public projects:

- (a) Public bribery (R.S. 14:118)
- (b) Corrupt influencing (R.S. 14:120)
- (c) Extortion (R.S. 14:66)
- (d) Money laundering (R.S. 14:230)

A conviction of or plea of guilty or nolo contendere to the following state crimes or equivalent federal crimes shall bar any person or the bidding entity from bidding on public projects for a period of five years from the date of conviction or from the date of the entrance of the plea of guilty or nolo contendere:

- (a) Theft (R.S. 14:67)
- (b) Identity Theft (R.S. 14:67, 16)
- (c) Theft of a business record (R.S. 14:67.20)
- (d) False accounting (R.S. 14:70)
- (e) Issuing worthless checks (R.S. 14:71)
- (f) Bank fraud (R.S. 14:71.1)
- (g) Forgery (R.S. 14:72)
- (h) Contractors; misapplication of payments (R.S. 14:202)
- (i) Malfeasance in office (R.S. 14:134)

The five-year prohibition provided for in this section shall apply only if the crime was committed during the solicitation or execution of a contract or bid awarded pursuant to these provisions. If evidence is submitted substantiating that a false attestation has been made and the project must be readvertised or the contract cancelled, the awarded entity making the false attestation shall be responsible to the public entity for the costs of rebidding, additional costs due to increased costs of bids and any and all delay costs due to the rebid or cancellation of this project.

*[The remainder of this page is intentionally left blank.]*

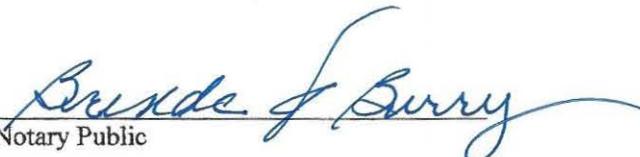
Affiant further said:

- (1) Entity is registered and participates in a status verification system to verify that all employees in the State of Louisiana are legal citizens of the United States or are legal aliens.
- (2) Entity shall continue, during the term of the contract, to utilize a status verification system to verify the legal status of all new employees in the State of Louisiana.
- (3) Entity shall require all subcontractors to submit to the Entity a sworn affidavit verifying compliance with statements (1) and (2).

  
\_\_\_\_\_  
Signature of Affiant

Chris Saul  
\_\_\_\_\_  
Printed Name of Affiant

SWORN AND SUBSCRIBED TO BEFORE ME  
ON THE 28th DAY OF October, 2021.

  
\_\_\_\_\_  
Notary Public

Brenda Berry  
\_\_\_\_\_  
Printed Name of Notary

124029719  
\_\_\_\_\_  
Notary/Bar Roll Number



My commission expires 12/20/2021.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/26/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|  |  |                       |
|--|--|-----------------------|
| <b>PRODUCER</b><br>Tequesta Insurance Advisors, a<br>Marsh & McLennan Agency LLC Company<br>218 South Hwy 1, Suite 300<br>Jupiter FL 33469 | <b>CONTACT NAME:</b> Jeanie Carr         |                       |
|  | <b>PHONE (A/C No. Ext):</b> 321.214.4853 | <b>FAX (A/C, No):</b> |
| <b>E-MAIL ADDRESS:</b> e-certificates@mma-fl.com   |  |                       |
| <b>INSURER(S) AFFORDING COVERAGE</b>   |  | <b>NAIC #</b>         |
| <b>INSURER A :</b> XL Specialty Insurance Company  |  | 37885                 |
| <b>INSURER B :</b> Commerce and Industry Insurance Company   |  | 19410                 |
| <b>INSURER C :</b> Great American Insurance Company  |  | 16691                 |
| <b>INSURER D :</b> Evanston Insurance Company  |  | 35378                 |
| <b>INSURER E :</b>   |  |                       |
| <b>INSURER F :</b>   |  |                       |

**COVERAGES** **CERTIFICATE NUMBER:** 1292019827 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE  | ADDL INSD | SUBR WVD | POLICY NUMBER   | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS   |
|----------|--|-----------|----------|-----------------|-------------------------|-------------------------|--|
| A        | <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b><br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><input checked="" type="checkbox"/> 10,000<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC<br>OTHER: | Y         |          | UM00062351MA21A | 3/19/2021               | 12/16/2021              | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000<br>MED EXP (Any one person) \$ 10,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COMP/OP AGG \$ 2,000,000<br>Protection & Indemnity \$ 1,000,000 |
| A        | <input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b><br><input checked="" type="checkbox"/> ANY AUTO<br><input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY   | Y         |          | UM00062350MA21A | 3/19/2021               | 12/16/2021              | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>MEDICAL PAYMENTS \$ 5,000   |
| A        | <input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR<br><input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE<br><input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000  |           |          | UM00062352MA21A | 3/19/2021               | 12/16/2021              | EACH OCCURRENCE \$ 10,000,000<br>AGGREGATE \$<br>\$  |
| B        | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N<br>If yes, describe under DESCRIPTION OF OPERATIONS below   |           | N/A      | WC051760236     | 12/16/2020              | 12/16/2021              | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER<br>E.L. EACH ACCIDENT \$ 1,000,000<br>E.L. DISEASE - EA EMPLOYEE \$ 1,000,000<br>E.L. DISEASE - POLICY LIMIT \$ 1,000,000   |
| C        | VESSEL POLLUTION   |           |          | OMH306833405    | 3/19/2021               | 12/16/2021              | PER OCCURRENCE \$ 5,000,000  |
| D        | CONTRACTOR'S POLLUTION   |           |          | MMAENV001788    | 3/19/2020               | 3/19/2022               | GENERAL AGGREGATE \$ 2,000,000   |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Work Comp: USL&H Included  
 Re: Bid #50-00135200 Soniat Canal Bulkhead Replacement Project  
 Jefferson Parish, its Districts Departments and Agencies under the direction of the Parish President and the Parish Council, as Contractor/Owner, is an Additional Insured as respects General Liability and Auto Liability when required by written contract subject to the terms, conditions, and exclusions of the policy.

**CERTIFICATE HOLDER** **CANCELLATION**

|   |   |
|---|---|
| Jefferson Parish<br>Department of Public Works<br>200 Derbigny St., Suite 4400<br>Gretna LA 70053 | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.<br><br>AUTHORIZED REPRESENTATIVE<br> |
|---|---|

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**Bond Number: SLA21216012**

**Contractor Information**

**Principal:** Cayo, LLC

**Address:** 1400 Everman Parkway, Suite 116 Fort Worth Texas 76140 United States

**Owner/Obligee Information**

**Bond Form:** Bid Bond in accordance with Contract Specifications

**Owner/Obligee:** Jefferson Parish

**Address:** 200 Derbigny Street Gretna Louisiana 70053 United States

**Bond Information**

**Surety:** United States Fire Insurance Company

**Bid Date:** 10/28/2021

**Estimated Contract Price:**

**Time For Completion:**

**Liquidated Damages:**

**Estimated Work On Hand:**

**Amount of Bid Security:** 5%

**Contract # or IFB #:** 50-00135200

**Description of Job:** Soniat Canal Bulkhead Replacement Project, Project No. 2019-033-DR

**Job Breakdown:**

**Electronic Bidding Information**

**Bid Security Percentage:** 5

**Bid Security Maximum:**

**Owner Assigned Contractor Number:**279342

**Primary Agency:**

McGriff Insurance Services, Inc  
Power of Attorney Limited to: Unlimited

**Executed**

**Entered By:** Mark W. Edwards I I - 10/25/2021 1:46:53 PM ET

**Approved & Executed By:**

*Mark W. Edwards I I*

Mark W. Edwards I I (Signed: 25-Oct-2021 01:47 PM EDT (UTC-04:00))

[Signature Information](#)

Know all men by these presents that United States Fire Insurance Company, a Corporation duly organized under the laws of the State of Delaware, are held and firmly bound unto the above owner/obligee by this transmission. The surety agrees to waive the Statute of Fraud defense and further agrees that the owner/obligee is a third party beneficiary of the waiver for the purposes of enforcing this bid bond.