

PERFORMANCE BOND

Bond # _____

KNOW ALL MEN BY THESE PRESENTS that we

Principal**Surety**

Company Name _____ and _____

Address _____

City, State, Zip _____

Contact & Phone # _____

Email Address _____

are held and firmly bound unto the Missouri Highway and Transportation Commission in the penal sum of \$ _____, 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 for a period of time not to exceed five (5) years from the date above or 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:

*Corporate Secretary**(Corporate Seal)**(Surety Seal)*_____
Signature of Principal

By _____

*Official Title*_____
*Surety***Countersigned*

By _____

Signature

*By _____

*Signature of Attorney-in-Fact**Agent or Broker**City**State**Print or Type Name*

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.

***** SEE ACKNOWLEDGMENT PAGE *****

PRINCIPAL'S ACKNOWLEDGMENT (page required)

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. Bond must be completed on MoDOT's Performance Bond Form
 - No other bond form style accepted.
2. Complete one Performance Bond form for all permit work being conducted by the Principal and Surety listed on the form.
3. Insert Bond #.
4. Insert Principal and Surety contact information completely.
5. Insert dollar amount of bond.
6. Insert date form was sealed and completed.
7. Insert the Surety's seal on the bond. (*Seal required to process bond*)
 - If the bond is being submitted via original documents, this seal must be embossed
 - If the bond is being submitted electronically, the seal must be electronic
8. Complete all signatures. (***Electronic and Facsimile signatures 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.
9. Acquire a Power of Attorney form from Attorney-in-Fact.
10. Original bonds with original signatures/seals accepted. (Scanned/Electronic copies not accepted)

Principal's Acknowledgement (*completion required***)**

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

Bond Checklist: (*Prior to mailing bond in certify items below*)

- ☐ Bond Form complete with original wet signatures and Surety Seal
- ☐ Principal's Acknowledgement completed
- ☐ Copy of Attorney-in-Fact's or Countersigner's Missouri License
- ☐ Power of Attorney form

Mail Performance Bond 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 or email performancebonds@modot.mo.gov