

**SURETY BOND REVIEW FORM**

The attached surety bond(s) have been reviewed in the following amount(s):

<b>PROJECT:</b>	Pavement Rehabilitation Program – Citywide, Meadowview Loop, PW18-10
<b>CONTRACTOR:</b>	Hardy and Harper, Inc.

<b>SURETY</b>	<b>BOND TYPE</b>	<b>BOND NUMBER</b>	<b>BOND AMOUNT</b>
Fidelity and Deposit Company of Maryland	Maintenance	7660213M	\$137,035.64

The surety company is ☒ is not ☐ an admitted company in the State of California:

- Financial Strength Rating: *A+XV*
- A.M. Best #: *000387*
- NAIC #: *39306*
- CA Company ID #: *2479-4*

Insurance Verified By:

  
 Risk Management Division

*10/24/19*  
 Date

Approved As to Form:

\_\_\_\_\_  
 Peter M. Thorson, City Attorney

\_\_\_\_\_  
 Date

**NOTES:**

**Notice of Completion scheduled for November 12, 2019 City Council Meeting**

Submitted by Tammy Petricka 10/24/19

CITY OF TEMECULA, DEPARTMENT OF PUBLIC WORKS

BOND NO. 7660213M

MAINTENANCE BOND

for

PAVEMENT REHABILITATION PROGRAM - CITYWIDE  
MEADOWVIEW LOOP  
PROJECT NO. PW18-10

KNOW ALL PERSONS BY THESE PRESENT THAT

Hardy & Harper, Inc., 32 Rancho Circle, Lake Forest, CA 92630

NAME AND ADDRESS OF CONTRACTOR

a Corporation (hereinafter called "Principal"), and  
(fill in whether a Corporation, Partnership, or Individual)

Fidelity and Deposit Company of Maryland, 777 South Figueroa Street, Suite 3900, Los Angeles, CA 90017

NAME AND ADDRESS OF SURETY

(hereinafter called "Surety"), are held and firmly bound unto CITY OF TEMECULA (hereinafter called "Owner") in the penal sum of One Hundred Thirty Seven Thousand Thirty Five DOLLARS AND Sixty Four CENTS (\$137,035.64) in lawful money of the United States, said sum being not less than ten percent of the Contract value payable by the said City of Temecula under the terms of the Contract, for the payment of which, we bind ourselves, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that whereas, the Principal entered into a certain Contract with the Owner, dated the 14th day of May, 2019, a copy of which is hereto attached and made a part hereof for the construction of **PAVEMENT REHABILITATION PROGRAM - CITYWIDE, MEADOWVIEW LOOP, PROJECT NO. PW18-10.**

WHEREAS, said Contract provides that the Principal will furnish a bond conditioned to guarantee for the period of one year 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

WHEREAS, the said Contract has been completed, and was the final estimate approved on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if within one year from the date of approval of the final estimate on said job pursuant to the Contract, the work done under the terms of said Contract shall disclose poor workmanship in the execution of said work, and the carrying out of the terms of said Contract, or it shall appear that defective materials were furnished thereunder, then this obligation shall remain in full force and virtue, otherwise this instrument shall be void.

As a part of the obligation secured hereby and in addition to the face amount specified, costs and reasonable expenses and fees shall be included, including reasonable attorney's fees incurred

by the City of Temecula in successfully enforcing this obligation, all to be taxed as costs and included in any judgment rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract, or to the work to be performed thereunder, or to the specifications accompanying the same, shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration, or addition to the terms of the Contract, or to the work, or to the Specifications.

Signed and sealed this 3rd day of October, 2019.

(Seal)

**SURETY:** Fidelity and Deposit Company of Maryland

**PRINCIPAL:** Hardy & Harper, Inc.

By: 

Dwight Reilly  
(Name)

Attorney-in-Fact  
(Title)

By: 

Steve Kirschner  
(Name)

Vice President  
(Title)

By: 

Kristen Paulino  
(Name)

Corporate Secretary  
(Title)

**APPROVED AS TO FORM:**

Peter M. Thorson, City Attorney

**NOTE:** Signatures of two corporate officers required for corporations. A Notarial Acknowledgement or Jurat must be attached for each of the Surety and Principal Signatures.

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange )

On October 3, 2019 before me, Melissa Ann Vaccaro, Notary Public  
(insert name and title of the officer)

personally appeared Dwight Reilly,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Melissa Ann Vaccaro (Seal)  
Melissa Ann Vaccaro



**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint, **Daniel HUCKABAY, Dwight REILLY, Arturo AYALA, Shaunna ROZELLE OSTROM and Frank MORONES, all of Orange, California, EACH**, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 24th day of June, A.D. 2019.



**ATTEST:**  
**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: Robert D. Murray  
Vice President

By: Dawn E. Brown  
Secretary

**State of Maryland  
County of Baltimore**

On this 24th day of June, A.D. 2019, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn, Notary Public  
My Commission Expires: July 9, 2023

## EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

### CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 3rd day of October, 2019.



Michael C. Fay, Vice President

**TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:**

Zurich Surety Claims  
1299 Zurich Way  
Schaumburg, IL 60196-1056  
[www.reportsfclaims@zurichna.com](mailto:www.reportsfclaims@zurichna.com)  
800-626-4577

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT****CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

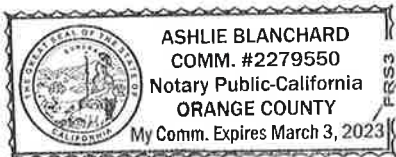
State of California )

County of Orange )On October 3, 2019 before me, Ashlie Blanchard, Notary Public  
Date Here Insert Name and Title of the Officerpersonally appeared Steve Kirschner and Kristen Paulino  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he~~/she/they executed the same in ~~his~~/her/their authorized capacity(ies), and that by ~~his~~/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Ashlie Blanchard  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**Title or Type of Document: Maintenance Bond Document Date: October 3, 2019Number of Pages: 2 Signer(s) Other Than Named Above: \_\_\_\_\_**Capacity(ies) Claimed by Signer(s)**Signer's Name: Steve Kirschner☒ Corporate Officer — Title(s): Vice President☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Hardy & Harper, Inc.Signer's Name: Kristen Paulino☒ Corporate Officer — Title(s): Corporate Secretary☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Hardy & Harper, Inc.



## Company Profile

Company Search

Company Search  
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Names

Agent for Service

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Information

NAIC Group List

Lines of Business

Workers'

Compensation

Complaint and

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Action/Appeals

Contact Information

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PDF's

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Statements

Company Complaint

Company  
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Additional Info

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Disclaimer

## COMPANY PROFILE

## Company Information

## FIDELITY AND DEPOSIT COMPANY OF MARYLAND

1299 ZURICH WAY  
SCHAUMBURG, IL 60196  
800-382-2150

## Old Company Names

## Effective Date

## Agent For Service

Melissa DeKoven  
2710 Gateway Oaks Drive, Suite 150N  
Sacramento CA 95833-3505

## Reference Information

NAIC #:	39306
California Company ID #:	2479-4
Date Authorized in California:	01/01/1982
License Status:	UNLIMITED-NORMAL
Company Type:	Property & Casualty
State of Domicile:	ILLINOIS

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## NAIC Group List

NAIC Group #: 0212 ZURICH INS GRP

## Lines Of Business

The company is authorized to transact business within these lines of insurance.  
For an explanation of any of these terms, please refer to the [glossary](#).

AIRCRAFT  
AUTOMOBILE  
BOILER AND MACHINERY  
BURGLARY  
CREDIT  
FIRE  
LIABILITY  
MARINE  
MISCELLANEOUS  
PLATE GLASS  
SPRINKLER  
SURETY  
TEAM AND VEHICLE



WORKERS' COMPENSATION

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# The Fidelity and Deposit Company of Maryland

AMB #: 000387 NAIC #: 39306 FEIN #: 133046577

## Domiciliary Address

1299 Zurich Way  
Schaumburg, IL 60196-1056  
United States

**Web:** [www.zurichna.com](http://www.zurichna.com)

**Phone:** 847-605-6000

**Fax:** 877-962-2567

**AM Best Rating Unit:** AMB #: 086976 - Zurich Insurance Group Ltd

Assigned to insurance companies that have, in our opinion, a superior ability to meet their ongoing insurance obligations.



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Based on AM Best's analysis, 050457 - Zurich Insurance Group Ltd is the **AMB Ultimate Parent** and identifies the topmost entity of the corporate structure. View a list of operating insurance entities in this structure.

## Best's Credit Ratings

### Financial Strength Rating View Definition

<b>Rating:</b>	A+ (Superior)
<b>Affiliation Code:</b>	g (Group)
<b>Financial Size Category:</b>	XV (\$2 Billion or greater)
<b>Outlook:</b>	Stable
<b>Action:</b>	Affirmed
<b>Effective Date:</b>	September 25, 2019
<b>Initial Rating Date:</b>	June 30, 1922

## Long-Term Issuer Credit Rating View Definition

**Long-Term:** aa-  
**Outlook:** Stable  
**Action:** Affirmed  
**Effective Date:** September 25, 2019  
**Initial Rating Date:** September 14, 2004

u Denotes Under Review Best's Rating

## Best's Credit Rating Analyst

**Rating Office:** A.M. Best Rating Services, Inc.

**Director:** Jennifer Marshall, CPCU, ARM

*Note: See the Disclosure information Form or Press Release below for the office and analyst at the time of the rating event.*

## Disclosure Information

### Disclosure Information Form

View AM Best's Rating Disclosure Form

### Press Release

AM Best Affirms Credit Ratings of Zurich Insurance Group Ltd and Its Main Rated Subsidiaries  
 September 25, 2019

## Rating History

AM Best has provided ratings & analysis on this company since 1922.

### Financial Strength Rating

Effective Date	Rating
----------------	--------

9/25/2019	A+
9/19/2018	A+
12/8/2017	A+
12/1/2016	A+
10/2/2015	A+
11/26/2014	A+

#### Long-Term Issuer Credit Rating

Effective Date	Rating
9/25/2019	aa-
9/19/2018	aa-
12/8/2017	aa-
12/1/2016	aa-
10/2/2015	aa-
11/26/2014	aa-

#### Best's Credit & Financial Reports



Best's Credit Report - financial data included in Best's Credit Report reflects the data used in determining the current credit rating(s) for AM Best Rating Unit: AMB #: 086976 - Zurich Insurance Group Ltd.





Best's Credit Report - Archive - reports which were released prior to the current Best's Credit Report.



Best's Financial Report - financial data included in Best's Financial Report reflects the most current data available to AM Best, including updated financial exhibits and additional company information, and is available to subscribers of Best's Insurance Reports.

View additional news, reports and products for this company.

## Press Releases

<u>Date</u>	<u>Title</u>	
Sep 25, 2019	AM Best Affirms Credit Ratings of Zurich Insurance Group Ltd and Its Main Rated Subsidiaries	 
Sep 19, 2018	A.M. Best Affirms Credit Ratings of Zurich Insurance Group Ltd and its Main Rated Subsidiaries	
Dec 08, 2017	A.M. Best Revises Outlooks to Stable for Zurich Insurance Group Ltd and Its Main Rated Subsidiaries	
Dec 01, 2016	A.M. Best Affirms Credit Ratings of Zurich Insurance Company Limited and Its Main Rated Affiliates	
Oct 02, 2015	A.M. Best Affirms Ratings and Revises Outlook to Negative for Zurich Insurance Company Limited and Some of Its Rated Affiliates	
Nov 26, 2014	A.M. Best Affirms Ratings of Zurich American Insurance Company and Its Affiliates	
Nov 21, 2013	A.M. Best Affirms Ratings of Zurich American Insurance Company and Its Affiliates	
Nov 27, 2012	A.M. Best Affirms Ratings of Zurich American Insurance Company and Its Affiliates	
Nov 18, 2011	A.M. Best Affirms Ratings of Zurich American Insurance Company and Its Affiliates	
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