



# AIA Document A310™ – 2010

## Bid Bond

Bond No. BD027175

**CONTRACTOR:**

K2 CIVIL, INC.

6611 Trade Center Avenue  
Billings, MT 59101

**OWNER:**

City of Billings Parks and Recreation  
390 North 23rd Street  
Billings, MT 59101

**BOND AMOUNT:** 10% of the Amount Bid Not to Exceed \$28,600.00

**PROJECT:**

Coulson Park North & South Improvements

Project Number, if any:

**SURETY:**

First Indemnity of America Insurance Company  
2740 Route 10 West Suite 205  
Morris Plains, NJ 07950

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

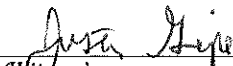
Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 1st day of October 2024

  
(Witness)

  
(Witness) Gabrielle Glinbizzi

K2 CIVIL, INC.

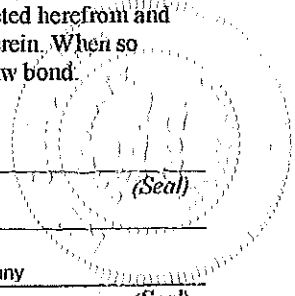
(Principal)

(Title)

First Indemnity of America Insurance Company

(Surety)

Gina Ring, Attorney-in-fact



## SURETY ACKNOWLEDGEMENT

State of New Jersey

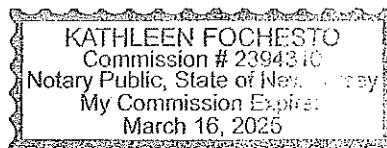
ss:

County of Morris

On this 1st day of October, 2024, before me personally comes

Gina Ring to me known; who, being by me duly sworn, deposes and says that he/she resides in Cedar Grove, NJ, that he/she is the Attorney-in-Fact of the First Indemnity of America Insurance Company the Corporation described in and which executed the foregoing instrument; that he/she knows the seal of the said Corporation; that the seal affixed to the said instrument is such Corporate seal; that it was so affixed by the order of the Board of Directors of the said Corporation, and that he/she signed his/her name thereto by like order.

  
\_\_\_\_\_  
(Signature & Title of Official Taking Acknowledgment)



**FIRST INDEMNITY OF AMERICA  
INSURANCE COMPANY**  
2740 Rt. 10 West, Suite 205 Morris Plains, New Jersey 07950  
Telephone: (973) 402-1200

**POWER OF ATTORNEY FOR BONDS AND UNDERTAKINGS**

Know All Men By These Presents: That First Indemnity of America Insurance Company, a Corporation of the State of New Jersey does hereby appoint: Gina Ring, its true and lawful Attorneys-in-Fact: to make, execute, sign, acknowledge, affix the Company Seal to, deliver any and all surety bonds, undertakings, recognizances, and other contracts of indemnity and writings obligatory in the nature of a bond, for and on behalf of said Company and as an act and deed of said Company.

IN WITNESS WHEREOF, First Indemnity of America Insurance Company of the State of New Jersey has executed these presents this 25th day of November, 2019.



Patrick J. Lynch  
Patrick J. Lynch, President

STATE OF NEW JERSEY )  
COUNTY OF MORRIS ) ss:

On this 25th day of November, 2019, before me came the above named officer of First Indemnity of America Insurance Company of New Jersey, to me personally known to be the individual and officer described herein, and acknowledge that he executed the foregoing instrument and affixed the seal of said corporation thereto by authority of this office.



Kathleen Foghesto  
KATHLEEN FOGHESTO  
Commission # 2394310  
Notary Public, State of New Jersey  
My Commission Expires  
March 16, 2025

**CERTIFICATE**

Excerpts of Resolutions (Article V, Paragraph 5, of the By-Laws of said Company) adopted by the Board of Directors of the First Indemnity of America Insurance Company of the State of New Jersey, November 25, 2019.

RESOLVED, on November 25, 2019, that the President, or any one of the Vice Presidents specially authorized to do so by the Board of Directors, or by the Executive Committee, shall have power to appoint Attorneys-in-Fact as the business of the company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and release and assignment of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require and to affix the Seal of the Company thereto.

FURTHER RESOLVED, that the signatures and attestations of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating to the Power of Attorney by facsimile and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond, undertaking, recognizances or other contract of indemnity of writing obligatory in the nature thereof.

I, Jane E. Lynch, Secretary of First Indemnity of America Insurance Company of New Jersey, do hereby certify that the foregoing excerpts of the Resolution adopted by the Board of Directors of the Corporation and the Powers of Attorney issued pursuant thereto, are true and correct and that both the Resolution and the Powers of Attorney are in full force and effect.

IN WITNESS WHEREOF, I have herewith set my hand and affixed the seal of said Corporation this 01 day of October, 2024.



Jane E. Lynch  
Jane E. Lynch, Secretary

**FIRST INDEMNITY OF AMERICA INSURANCE COMPANY**  
 2740 Route 10 West, Suite 205, Morris Plains, N.J. 07950  
**STATEMENT OF FINANCIAL CONDITION AS OF DECEMBER 31, 2023**

<b>Assets:</b>	
Bonds	\$ 13,948,551
Preferred & Common Stocks	6,760,615
Mortgage Loans	97,104
Real Estate	1,354,308
Cash and Short Term Investments	5,432,614
Investment Income Due and Accrued	144,555
Premiums in the Course of Collection (under 90 days)	907,137
Reinsurance Recoverable on Loss and LAE Payments	112,171
Deferred Tax Asset	593,605
Other Assets	<u>38,472</u>
<b>Total Admitted Assets</b>	<b>\$ 29,389,132</b>
<b>Liabilities and Surplus:</b>	
Reserve for Loss and Loss Adjustment Expenses	6,610,281
Other Expenses	489,345
Taxes Licenses and Fees	51,509
Federal Income Tax Payable	438,252
Unearned Premium	2,979,370
Amounts Withheld or Retained for Others	4,536,068
Ceded Reinsurance Balances Payable	353,055
Security Deposits	<u>12,600</u>
<b>Total Liabilities</b>	<b>15,470,480</b>
<b>Capital &amp; Surplus:</b>	
Common Stock, Paid Up	2,500,000
Paid in and Contributed Surplus	1,480,945
Unassignd Surplus	<u>9,937,707</u>
<b>Surplus as Regards to Policyholders</b>	<b><u>13,918,652</u></b>
 <b>Total Liabilities and Surplus</b>	 <b>\$ 29,389,132</b>

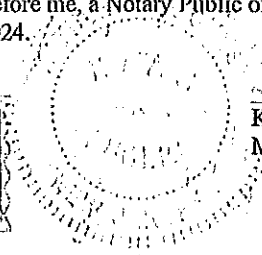
I, Glenn A. Runne, Chief Financial Officer of First Indemnity of America Insurance Company, do hereby certify that the foregoing statement is a correct exhibit of the assets and surplus of the said company, on the 31<sup>st</sup> day of December, 2023, according to the best information, knowledge, and belief.

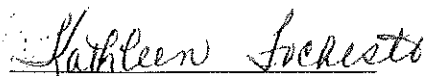
  
 Glenn A. Runne  
 Chief Financial Officer

State of New Jersey)  
 County of Morris) SS:

Subscribed and sworn to, before me, a Notary Public of the State of New Jersey in the Township of Morris Plains, this 21<sup>st</sup> day of February, 2024.

KATHLEEN FOCHESTO  
 Commission # 2394319  
 Notary Public, State of New Jersey  
 My Commission Expires  
 March 16, 2025



  
 Kathleen Fochesto  
 My Commission Expires March 16, 2025