

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That we

as principal, and

as surety, are jointly and severally held and bound unto the State of Oregon, in the sum of

for the payment of which we jointly and severally bind ourselves, our heirs, executors, administrators and assigns or successors and assigns, firmly by these presents.

THE CONDITION OF THIS BOND IS SUCH

That, whereas the said principal herein has made and entered into a certain contract, a copy of which is attached hereto, with the State of Oregon, which contract, together with the applicable plans, Standard Specifications, special provisions, and schedule of contract prices, is by this reference made a part hereof, whereby the said principal agrees to do in accordance with the certain terms conditions, requirements, plans and specifications which set out in said contract and all authorized modifications of the contract which increase the amount of the work and the amount of the contract. Notice to the surety of any of the immediately foregoing are waived.

NOW, THEREFORE, if the principal herein shall faithfully and truly observe and comply with the terms, conditions and provisions of the said contract, in all respects, and shall well and truly and fully do and perform all matters and things by him undertaken to be performed under said contract, upon the terms set forth therein, and within the time prescribed therein, or as extended as provided in the contract, and shall indemnify and save harmless the State of Oregon, the Oregon Transportation Commission, and members thereof, its officers, employees, and agents, against any direct or indirect damages of every kind and description that shall be suffered or claimed to be suffered in connection with or arising out of the performance of the said contract by the said Contractor or his subcontractors and shall in all respects perform said contract according to law, then this obligation is to be void, otherwise to remain to full force and effect.

Nonpayment of the bond premium will not invalidate this bond nor shall the State of Oregon, by and through its Transportation Commission, be obligated for the payment thereof.

Witness our hands the _____ day of _____, _____

Principal

By _____

Authorized Signature

By _____

Authorized Signature

Principal

By _____

Authorized Signature

By _____

Authorized Signature

Surety

By _____

Attorney in Fact

(A Power of Attorney for the Attorney in Fact must be attached to this bond)

By _____

Agent

Surety's Seal Must be Affixed