

Contract Number

Bond Number

Date Bond Executed (Date of Contract or Later)

PRINCIPAL/CONTRACTOR (Legal Name and Business Address)

Type of Organization

Individual *Partnership*
 Corporation

State of Incorporation

SURETY(IES) (Legal Name(s) and Business Address(es))

Penal Sum of Bond

OWNER (Legal Name and Business Address)

CITY OF OSHKOSH
 215 Church Avenue
 PO Box 1130
 Oshkosh, Wisconsin 54903-1130

OBLIGATION

The Contractor and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Owner for the amount of the penal sum identified above if the Owner accepts the bid of this Contractor within the time specified in the bid documents or within such time period as may be agreed upon between the Owner and the Contractor, and the Contractor shall fail to execute the Contract within five (5) business days of written notice to the Contractor and Surety of Owner's intent to make a claim upon this Bond.

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.

If the Contractor either enters into a contract with Owner in accordance with the terms of the bid and gives such bond(s) that may be specified in the bidding documents for the faithful performance of the Contract and for the prompt payment of labor, materials and supplies furnished for the purpose thereof; or pays to the Owner the difference between the amount specified in the bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered in such bid, then the Surety and the Contractor shall have no obligation under this Bond.

Notice to the Contractor or Surety shall be deemed to have been given: (i) upon delivery to an officer or person entitled to such notice, if hand delivered; or (ii) upon delivery if delivered by priority, registered or certified mail through the United States Postal Service; (iii) upon delivery by a commercial carrier that will certify the date and time of delivery; or (iv) upon transmission if by facsimile, email or other form of electronic transmission. Notices shall be provided to the Owner, Surety and/or Contractor at their address as specified on this Bond or to a facsimile, email or other electronic address that has been provided in writing to the other party to be used for this purpose.

The laws of the State of Wisconsin shall govern the interpretation and construction of this Bond. Winnebago County shall be the venue for all disputes arising under this Bond. Any provision in this Bond that may conflict with statutory or other legal requirement shall be deemed deleted herefrom and provisions conforming to the statutory or other legal requirement shall be deemed incorporated herein.

Name of Principal/Contractor

Name of Surety

Title

Title