

PERFORMANCE/PAYMENT BOND

TO ACCOMPANY AND FOR CONTRACT NO. _____
(In the amount of 100% of the total contract award)

KNOW ALL MEN BY THESE PRESENTS That: _____ of
_____ in the County of _____ and the State of _____ as
Principal and _____

_____ of _____ in the County of _____ and State
of _____ as **Surety**, legally authorized to do business in the State of Delaware ("**State**"), are
held firmly bound unto the **State** in the sum of _____
_____ (\$ _____), to be paid to the **State** for the use and benefit of the Delaware
Department of Transportation ("**DelDOT**"), as well as for the use and benefit of the Division of Revenue in
the case of claims under this bond for any and all taxes due the **State** relating to this contract, for which
payment well and truly to be made, we do bind ourselves, our and each and every of our heirs, executors,
administrators, successors, and assigns, jointly and severally for and in the whole firmly by these presents.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH That if the said above bounden
Principal who had been awarded by the **DelDOT** of the **State** a certain contract designated by the parties
thereto as Contract No. _____, and the associated agreement, for construction and
completion of a certain Public Works contract within the **State**, shall well and truly provide and furnish all the
materials, appliances and tools and perform all the construction work and labor required under and pursuant
to the terms and conditions of this Contract, and of the proposal, plans and specifications contained therein,
and shall also indemnify and keep harmless the **State** and the **DelDOT**, from all costs, damages, and expenses
growing out of or by reason of the construction work and completion of this Contract, and shall well and truly
pay all and every person furnishing material and performing labor in and about the construction of this
Contract, all and every sum or sums of money due him, them or any of them, for all such labor and materials
for which the **Principal** is liable; then this obligation shall be void or else to be and remain in full force and
virtue; and every person furnishing materials or performing labor or services for the **Principal** under the said
contract may maintain an action on this bond for his own use in the name of the **State** in any court of
competent jurisdiction for recovery of such sum or sums of money as may be due such person from **Principal**.

Sealed with _____ seal and dated this _____ day of _____ in the year of our Lord two thousand and _____ (20__).

SEALED, AND DELIVERED IN THE presence of

Corporate Seal

Name of Contractor

Attest _____

By:

Authorized Signature

Title

Corporate Seal

NAIC# (**REQUIRED**)

Name of **Surety**

ADDRESS OF SURETY

TELEPHONE NUMBER OF SURETY

Witness: _____

By:

Signature

Title

Social Security Number

ADDRESS

TELEPHONE NUMBER OF SIGNER

- NOTE:** (1) All surety insurers must be licensed and authorized to transact business in the State of Delaware in accordance with Delaware Code, Title 18, Insurance Code.
- (2) Pursuant to the licensing requirements of Delaware Code, Title 30, Section 2101, bidder is required under this contract to attach a copy of his trade and/or business license obtained from the State of Delaware, Department of Finance.