

1316 COUNTY-CITY BUILDING  
227 W. JEFFERSON BOULEVARD  
SOUTH BEND, INDIANA 46601-1830



PHONE 574/ 235-9251  
FAX 574/ 235-9171

CITY OF SOUTH BEND JAMES MUELLER, MAYOR  
**BOARD OF PUBLIC WORKS**

October 8, 2024

Ms. Nancy Knapik  
HRP Construction Inc.  
5777 Cleveland Rd.  
South Bend, IN 46628  
[jeredb@hrpconstruction.com](mailto:jeredb@hrpconstruction.com)

RE: Project Completion Affidavit – LaSalle Park Improvements – Project No. 121-015C

Dear Ms. Knapik:

At its October 8, 2024 meeting, the Board of Public Works approved the Project Completion Affidavit for this project in the amount of \$2,508,882.62.

A copy of the Project Completion Affidavit is enclosed for your records.

If you have any further questions, please call this office at (574) 235-9251.

Sincerely,

/s/ Theresa Heffner

Theresa Heffner, Clerk

Enclosures  
TH/hh

**CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS  
PROJECT COMPLETION AFFIDAVIT**



PROJECT NAME	<u>Lasalle Park Improvements</u>		
PROJECT NO	<u>121-015</u>	FINAL COST	<u>\$2,508,882.62</u>
CONTRACT SIGNED	<u>5/23/2023</u>	MAINTENANCE AGREEMENT ENDS	
PROJECT DESCRIPTION	<u>Lasalle Park Improvements at Charles Black Center. Roller rink, walking paths, shelter, resurface basketball courts</u>		

WITNESSETH:  
The work under the above contract between the City of South Bend and the undersigned contractor having been completed, the City of South Bend, its officials and agents are hereby released from all claims and demands whatsoever arising under or by such contract, and that the contractor performed the work within the scope of the Specifications and Standards of the City of South Bend which were a part of the above Contract.

Executed this 17th day of September, 2024.

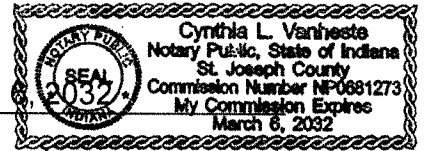
*Nancy Knapik*  
Signature  
Nancy Knapik, Vice President  
Printed Name

HRP Construction  
Company Name  
5777 Cleveland Road  
Company Address  
South Bend, IN 46628  
City, State, Zip

WITNESSES:  
Before me, the undersigned Notary Public in and for said country and state, personally appeared Nancy Knapik, and acknowledged his/her signature to the above Project Completion Affidavit on the 17th day of September, 2024.

*Cynthia L. Vanheste*  
Notary Signature  
Cynthia L. Vanheste  
Printed Name

My Commission Expires March  
County of Residence St. Joseph



If the Contractor is a corporation, the following certificate will be executed.  
I, Nancy Knapik, certify that I am Secretary of the Corporation executing this release; that Nancy Knapik who signed this release on behalf of the contractor was then Secretary of said Corporation; that said release was duly signed for and on behalf of said Corporation by Authority of its governing body, and is within the scope of corporate powers:

*Nancy Knapik*  
Secretary's Signature  
Nancy Knapik, Secretary  
Printed Name

Corporate Seal

**DEPARTMENT OF PUBLIC WORKS APPROVAL**

This project is acceptable for final approval and we recommend to the Board of Public Works that it be ordained so.

*Kyle Ludlow*  
Construction Manager

Date: 10/1/2024

CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS

*Elizabeth A. Maradik*  
Elizabeth A. Maradik, President

*Gary A. Gilot*  
Gary A. Gilot, Member

*Murray L. Miller*  
Murray L. Miller, Member

*Joseph R. Molnar*  
Joseph R. Molnar, Vice President

*Briana Micou*  
Briana Micou, Member

*Theresa M. Heffner*  
Attest: Theresa M. Heffner, Clerk

Date: October 8, 2024

State of Indiana, County of St. Joseph SS:  
Nancy Knapik being duly sworn that he/she is the Vice President  
(Name of Officer) (Title)

of HRP Construction Inc. having contracted with City of South Bend  
(Contractor) (Owner)  
to furnish certain materials and/or labor as follows: LaSalle Park Improvements at Charles Black Center, roller rink, walking paths, shelter, resurface basketball courts.  
(Description)

for a project known as LaSalle Park Improvements, Project No. 121-015  
(Name of Project)

located at 3419 W. Washington Street, South Bend, IN  
and owned by City of South Bend  
(Owner)

and does hereby further state on the behalf of the aforementioned subcontractor/supplier:  
(PARTIAL WAIVER) that there is due from the Contractor the sum of  
\_\_\_\_\_ Dollars (\$ \_\_\_\_\_)

- receipt of which is hereby acknowledged; or
- the payment of which has been promised as the sole consideration for this Affidavit and Final Waiver of Lien which is given solely with respect to said amount, and which waiver shall be effective only upon receipt of payment thereof by the undersigned;

(FINAL WAIVER) that the final balance due from the contractor is the sum of  
One Hundred Twenty Three Thousand Eight Hundred Sixty Nine Dollars and Thirty Three Cents (\$ 123,869.33 )

- receipt of which is hereby acknowledged; or
- the payment of which has been promised as the sole consideration for this Affidavit and Final Waiver of Lien which shall become effective only upon receipt of such payment.

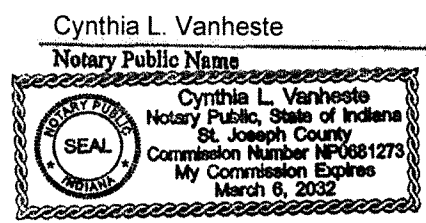
THEREFORE, the undersigned waives and releases unto the Owner of said premises, any and all liens or claims whatsoever on the above-described property and improvements thereon an account of labor or material or both, furnished b the undersigned thereto, subject to limitations or conditions expressed herein, if any; and further certified that no other party has any claim or right to a lien on account of any work performed or material furnished to the undersigned for said project, and within the scope of this Affidavit and Waiver of Lien.

HRP Construction Inc. By Nancy Knapik  
(Firm) (Authorized Representative)  
STATE OF INDIANA )  
) SS: Nancy Knapik, Vice President  
ST. JOSEPH COUNTY )

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Nancy Knapik  
and acknowledged the execution of the foregoing Affidavit and Waiver of Lien.  
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the 17th day of  
September 2024

Cynthia L. Vanheste  
Notary Public Signature

My Commission Expires: March 6, 2032  
Residing in St. Joseph County, Indiana



**MAINTENANCE BOND**

Bond No. MNT9425369

**KNOW ALL MEN BY THESE PRESENTS:**

That HRP Construction Inc. PO Box 266, 5777 Cleveland Rd, South Bend, IN 46624-0266,  
as Principal, hereinafter call Contractor, and Fidelity and Deposit Company of Maryland  
Chicago, IL 60606 as Surety, hereinafter call Surety, are held and firmly bound unto \_\_\_\_\_  
City of South Bend Board of Public Works, as Obligee, hereinafter called Owner, in the penal sum of  
\$ 247,738.65, for the payment whereof Contractor and Surety bind themselves, their heirs, executors,  
administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, Contractor has by written agreement, dated May 23, 2023,

entered into a contract with Owner for LaSalle Park Improvements, Project No. 121-015,

in accordance with the General Conditions, the Drawings and Specifications, which contract is by reference incorporated herein,  
and made a part hereof, and is referred to as the Contract.

NOW, THEREFORE, the condition of this obligation is such that, if Contractor shall remedy any defects due to faulty materials or  
workmanship, and pay for any damage to other work resulting therefrom, which shall appear within a period of three (3) year(s)  
from the date of substantial completion of the work provided for in the Contract, then this obligation to be void; otherwise to  
remain in full force and effect.


Bond shall be effective from July 15, 2024 to July 15, 2027

PROVIDED, HOWEVER, that Owner shall give Contractor and Surety notice of observed defects with reasonable promptness.

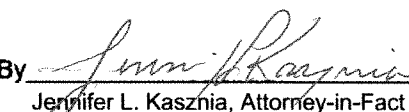
SIGNED and sealed this 5th day of September, 2024.

HRP Construction Inc.

Principal

By  (Seal)  
Matthew D. Cain, President JTK

Fidelity and Deposit Company of Maryland

By   
Jennifer L. Kasznia, Attorney-in-Fact



**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 **William J. CERNEY, III, Nicole L. BICKNELL, Jennifer L. KASZANIA, Pamela S. HIGGINBOTHAM, Megan E. RIESENBERG, Faith D. HUNT, Mark E. WOBBE, Barbara E. PEARSON, and Theresa M. BURNS, of South Bend, Indiana, Sandra L. JUNK, and Jordan M. SCHEIBER, of Fort Wayne, Indiana and Wesley L. MANTOOTH, and Lisa M. THOMAS, of Indianapolis, Indiana**, 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 17th day of September, A.D. 2021.



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

A handwritten signature in black ink, appearing to read 'Robert D. Murray', is written over a horizontal line.

By: *Robert D. Murray*  
Vice President

A handwritten signature in black ink, appearing to read 'Dawn E. Brown', is written over a horizontal line.

By: *Dawn E. Brown*  
Secretary

**State of Maryland  
County of Baltimore**

On this 17th day of September, A.D. 2021, 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.



A handwritten signature in black ink, appearing to read 'Constance A. Dunn', is written over a horizontal line.

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 5th day of September, 2024.



Brian M. Hodges, 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

