

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
CONTRACTOR'S AFFIDAVIT AND SURETY CONSENT
(FORM 21-A)

STATE OF FLORIDA

COUNTY OF _____

Before me, the undersigned Notary Public, personally appeared _____

to me well known or who has produced _____ as identification,
(Type of Identification)

who being first duly sworn, deposes and says that he/she is: _____
(Title of duly authorized person)

of _____ a _____,
(Contracting entity) (Type of entity)

the Contractor on Financial Project I.D. _____, Road No. _____ in
_____ County, Florida under Contract No. _____

with the State of Florida Department of Transportation dated the _____ day of _____,
and that the Affiant based on his/her personal knowledge says that:

1. Said contract has been complied with in every particular by the Contractor and that all parts of the work have been approved by the District Director of Operations of the State of Florida Department of Transportation.
2. The Contractor has not offered or made any gift or gratuity to, or made any financial transaction of any nature with, any employee of the Department in connection with obtaining or performing said contract.
3. All amounts payable for labor, materials, or otherwise, in connection with said contract and work have been paid except for normal sub-contract retainages, which will be satisfied within 30 days after payment and/or release of retainage withheld under said contract.
4. There are no claims or suits pending against said Contractor or anyone in connection with the work done, materials furnished or otherwise, under said contract except as listed below. As to any such exception listed below, the Contractor has stated the name of the entity making the claim, the name of the entity against whom the claim is being made, and demonstrated below good cause as required by Section 337.11(11), Florida Statutes.

Claiming Entity	Claim Agent	Nature of claim	Good cause explanation
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

State of Florida

County of _____

Sworn to and subscribed before me this _____ day

of _____, _____, by _____
(Print name of person signing Affidavit)

Notary Public _____

Commission Expires _____

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

A false statement or omission made in connection with this affidavit is sufficient cause for suspension, revocation, or denial of qualification to bid, and a determination of non-responsibility, and may subject the person and/or entity making the false statement to any and all civil and criminal penalties available pursuant to applicable Federal and State Law.

Contractor

By

Title

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
CONTRACTOR'S AFFIDAVIT AND SURETY CONSENT
(FORM 21-A)

We, the _____, duly authorized to do business under the laws of Florida, having
(Type or print name of Surety)

heretofore executed a performance and payment bond for the Contractor covering the contract described above, hereby consent the State of Florida Department of Transportation making full payment of the final estimate, including the retained percentage, to the Contractor.

It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

IN WITNESS WHEREOF, the _____ has caused this
(Type or print name of surety)

instrument to be executed by its President, Chief Executive Officer or duly authorized Attorney-In-Fact and its corporate seal to be hereto affixed, all on this _____ day of _____,

_____.

SURETY COMPANY

(AFFIX SEAL)

BY: _____

☐ Its President or Chief Executive Officer

☐ Its Attorney-In-Fact

☐ Florida Licensed Insurance Agent

STATE OF _____

(Attach Power of Attorney)

COUNTY OF _____

Before me, the undersigned Notary Public, personally appeared _____ to me well known or who has produced _____ as identification as the person described in and who executed the foregoing

(Type of Identification)

instrument in the name of _____ and _____

acknowledged that he/she executed said instrument in the name of said surety as its _____

for the purposes therein expressed and that he/she has due and legal authority to execute the same on behalf of said surety.

Sworn to and subscribed before me this _____ day of _____, _____

My commission expires _____

Notary Public, State of _____

INSTRUCTIONS

1. If the Contractor is a corporation, the document must be signed by its President/Vice President or an officer authorized to legally bind the corporation. Please include the corporate title of the Deponent on the line provided. If an individual or officer other than the President or Vice President signs, attach a copy of the authorization.
2. If the Contractor is any other entity, the document must be signed by an officer or director authorized to bind the entity. Please include the title of the Deponent on the line provided.
3. Any claims or pending suits for labor, materials, unpaid bills or liability damages against the Contractor in connection with the contract and work are to be listed in the spaces provided on the form. If space is inadequate, attach additional sheet(s) of paper thereto with initials of Deponent and surety affixed and dated. As to any such claims or suits, state the name of the entity making the claim, the name of the entity against whom the claim is being made, and demonstrate good cause as required by Section 337.11(11), Florida Statutes. The Prime Contractor should list only those claims in dispute with a Sub-Contractor (as defined in Section 9-5.6 of the Specifications). Proof of adequate liability insurance coverage in effect during the life of the contract must be attached when tort liability claims are listed.
4. The execution by the representatives of the entity and the surety must be sworn to before a notary public and the surety seal affixed. If executed by any other officer, please attach a certificate of authority.
5. The document must be executed in the name of the surety company by its President or Chief Executive Officer and the surety seal affixed. If executed by any other officer, please attach a certificate of authority.
6. If the document is executed in the name of the surety company by an attorney-in-fact, a power of attorney with the surety seal, dated the date of execution, must accompany the document and must grant the attorney-in-fact the authority to execute consents for the release of retained percentages and/or final estimates on engineering and construction contracts, or similar authority. The date of execution and the date of notarization on Page 2 and the date of the certificate on the power of attorney must be the same date.

The power of attorney language authorizing execution of consents for the release of retained percentages must be authorized by the surety company. Power of attorney certificates will be rejected where there is no assurance that such language is the surety's original language.

THE USUAL POWER OF ATTORNEY FOR EXECUTION OF BONDS DOES NOT GRANT THE POWER TO EXECUTE THESE CONSENTS.

7. Each power of attorney must be an original copy or be certified to by manual signature unless evidence is furnished that the surety company has authorized the use of facsimile signatures.
8. All appropriate blanks should be filled. No erasures or "white outs" are permitted. Corrections may be made by lining through the incorrect entry, entering the correct information, and having the change initialed by the person executing the form.
9. Failure to comply with the above requirements will result in return of the document and delay in payment of the final estimate.