

CITY OF MINNETRISTA



CITY COUNCIL AGENDA ITEM

Subject: Accept Improvements and Authorize Final Payment for the Crack Fill/Fog Seal portion of the 2025 Pavement Maintenance Project (City Project No. 03-25)

Prepared By: Gary Peters, Public Works Director

Meeting Date: October 20, 2025

Issue:

The crack fill and fog seal application portion of the 2025 Pavement Maintenance Project – Crack Fill/Fog Seal/Reclamite (City Project No. 03-25) has been satisfactorily completed, and project acceptance and final payment is requested by the contractor.

Background/History:

The 2025 Pavement Maintenance Project – Crack Fill/Fog Seal/Reclamite (City Project No. 03-25) was initiated by the City Council at their May 19, 2025, regular City Council meeting. Improvements proposed for maintenance in 2025 included crack fill, fog seal, and Reclamite applications. The project consisted of:

- Crack fill and application of Reclamite on approximately 7.6 miles of streets throughout the city,
- Crack fill and application of Reclamite on the trails within Linden Park and Lisle Park, and fog seal of Astilbe Court

Overview:

Allied Blacktop Company was awarded the crack fill/fog seal applications portion of the project, with Corrective Asphalt Materials, LLC being awarded the Reclamite application portion.

Allied Blacktop Company substantially completed the scheduled crack fill/fog seal work in general conformance with the contract documents. Final quantities have been reviewed and agreed to by the City Engineer, and it has been determined that the project is complete and final payment is appropriate.

Allied Blacktop Company has submitted the required Consent of Surety to Final Payment, Minnesota Form IC-134 Withholdings Affidavit, lien waivers, and the signed request for final payment. Allied Blacktop Company has provided a maintenance bond terminating on September 30, 2026.

A resolution accepting the crack fill/fog seal applications portion improvements of the 2025 Pavement Maintenance Project – Crack Fill/Fog Seal/Reclamite (City Project No. 03-25) and authorizing final payment is included for Council consideration of approval.

Mission Statement:

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

Staff recommends that the crack fill/fog seal applications portion of the 2025 Pavement Maintenance Project – Crack Fill/Fog Seal/Reclamite (City Project No. 03-25) be accepted, and that final payment be issued to Allied Blacktop Company.

Fiscal Impact:

The bid awarded to Allied Blacktop Company was for a total of \$33,354.30 and the final project amount submitted is \$33,056.57. The 2025 Pavement Maintenance Project – Crack Fill/Fog Seal/Reclamite (City Project No. 03-25) costs are funded by the Road Maintenance Fund. The Engineer’s estimate of cost for the crack fill/fog seal portion of the project was presented to City Council on May 19, 2025 and was \$42,137.00.

Recommended City Council Action:

Motion to approve Resolution No. 92-25 accepting improvements and authorizing final payment for the crack fill/fog seal applications portion of the 2025 Pavement Maintenance Project – Crack Fill/Fog Seal/Reclamite (City Project No. 03-25) to Allied Blacktop Company in the amount of \$33,056.57.

Mission Statement:

The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.

CONSENT OF SURETY TO FINAL PAYMENT

AIA Document G707

(Instructions on reverse side)

- OWNER
- ARCHITECT
- CONTRACTOR
- SURETY
- OTHER

TO OWNER:

(Name and address)

City of Minnetrista
7701 County Road 110 W
Minnetrista, MN 55364

ARCHITECT'S PROJECT NO.:

CONTRACT FOR:

PROJECT:

(Name and address)

2025 Pavement Maintenance Project - Fog Seal & Crack Fill

CONTRACT DATED: May 19, 2025

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Western Surety Company
151 N. Franklin St.
Chicago, IL 60606

, SURETY,

on bond of

(Insert name and address of Contractor)

Allied Blacktop Company
10503 89th Avenue North
Maple Grove, MN 55369

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to

(Insert name and address of Owner)

City of Minnetrista
7701 County Road 110 W
Minnetrista, MN 55364

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: September 25, 2025

(Insert in writing the month followed by the numeric date and year.)

Western Surety Company

(Surety)

(Signature of authorized representative)

Nicole M. Coty

Attorney-in-fact

(Printed name and title)

Attest:
(Seal):

Siena M Guoid



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Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Kevin Paulson, Alice M Johnson, Mark Alan Thune, Brenda S Klimstra, Chad Christianson, De Ette J Wurm, Lori Hilmoe, Litton E S Field Jr, Nicole M Coty, Mutya Alvaran Enoksen, Jeffrey R Skaar, Gayle L Thorson, Deb Geislinger, Erin Pohlman, Jacqueline Riley, Leslie Seehusen, Tyler Johnson, Kelly Quiring, Sierra McQuoid, Drew Boehne, Daschle Larsen, Jessica A Olson, Individually

of Mendota Heights, MN, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the Authorizing By-Laws and Resolutions printed at the bottom of this page, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 15th day of January, 2025.



WESTERN SURETY COMPANY

Larry Kasten

Larry Kasten, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 15th day of January, 2025, before me personally came Larry Kasten, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



M. Bent

M. Bent, Notary Public

CERTIFICATE

I, Paula Kolsrud, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Laws and Resolutions of the corporation printed below this certificate are still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 25th day of September, 2025.



WESTERN SURETY COMPANY

Paula Kolsrud

Paula Kolsrud, Assistant Secretary

Authorizing By-Laws and Resolutions

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

This Power of Attorney is signed by Larry Kasten, Vice President, who has been authorized pursuant to the above Bylaw to execute power of attorneys on behalf of Western Surety Company.

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

“RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company.”

Go to www.cnasurety.com > Owner / Oblige Services > Validate Bond Coverage, if you want to verify bond authenticity.

BOND NO. 30247284

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS, That we Allied Blacktop Company,
Of 10503 89th Avenue North Maple Grove, MN 55369, as Principal, and
Western Surety Company, of
151 N. Franklin St. Chicago, IL 60606, a corporation duly
authorized to do business in the State of Minnesota, as Surety, are held
and firmly bound unto City of Minnetrista, of
7701 County Road 110 W, Minnetrista, MN 55364 in the penal sum of
Thirty-three Thousand Fifty-six And 57/100
(\$33,056.57) which payment well and truly to be made we bind
ourselves, our and each of our heirs, executors, administrators,
successors and assigns jointly and severally, firmly by these presents.

WHEREAS, said Principal has completed the project known as
2025 Pavement Maintenance Project - Fog Seal & Crack Fill, and a 1 year
maintenance bond covering the said construction has been requested by
the City of Minnetrista.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH THAT if said
Principal does and shall, at their own cost and expense, remedy any and
all failures that may develop, by reason of defective workmanship or
poor materials used in the construction of said work, for a period of
1 year(s) beginning from 9/30/2025 to
9/30/2026 shall in all other respects comply with all the terms
and conditions of the contract with respect to maintenance and repair of
said work, then this obligation to be null and void; otherwise to be and
remain in full force and virtue in law.

SIGNED SEALED AND DATED this 25th Day of September, 2025.

Allied Blacktop Company

BY: 

Brent Capistrant, President

Western Surety Company

BY: 

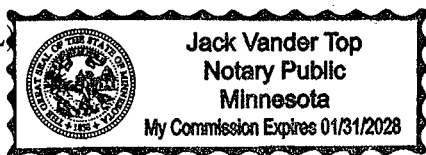
Nicole M. Coty, Attorney-in-Fact

CORPORATE ACKNOWLEDGMENT

STATE OF Minnesota
COUNTY OF Hennepin

On the 25th day of September, 2025, before me personally appeared, Brent Capistrant to me, who being duly sworn, did depose and say: that s/he resides in Minnesota that s/he is the President of the Allied Blacktop Company the corporation described in and which executed the foregoing instrument; that s/he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation; and that s/he signed her/his name thereto by like order.

(SEAL)



Notary Public

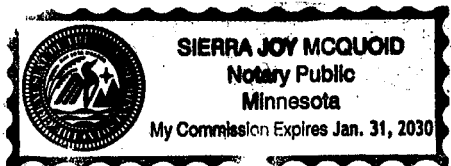
A handwritten signature in black ink, appearing to read "Jack Vander Top", written over a horizontal line.

ACKNOWLEDGMENT OF CORPORATE SURETY

STATE OF MINNESOTA
COUNTY OF Dakota

On the 25th day of September, 2025 before me personally appeared, Nicole M. Coty to me known, who being duly sworn, did say: that s/he resides in Minnesota that s/he is the aforesaid officer or attorney in fact of Western Surety Company a corporation, that the seal affixed to the foregoing instrument is the corporate seal of said corporation; and that said instrument as signed and sealed on behalf of said corporation by the aforesaid officer, by authority of its board of directors; and the aforesaid officer acknowledged said instrument to be the free act and deed of said corporation.

(SEAL)



Notary Public

A handwritten signature in black ink, appearing to read "Sierra Joy McQuoid", written over a horizontal line.

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Kevin Paulson, Alice M Johnson, Mark Alan Thune, Brenda S Klimstra, Chad Christianson, De Ette J Wurm, Lori Hilmoe, Litton E S Field Jr, Nicole M Coty, Mutya Alvaran Enoksen, Jeffrey R Skaar, Gayle L Thorson, Deb Geislinger, Erin Pohlman, Jacqueline Riley, Leslie Seehusen, Tyler Johnson, Kelly Quiring, Sierra McQuoid, Drew Boehne, Daschle Larsen, Jessica A Olson, Individually

of Mendota Heights, MN, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the Authorizing By-Laws and Resolutions printed at the bottom of this page, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 15th day of January, 2025.



WESTERN SURETY COMPANY

Larry Kasten

Larry Kasten, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 15th day of January, 2025, before me personally came Larry Kasten, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



M. Bent

M. Bent, Notary Public

CERTIFICATE

I, Paula Kolsrud, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Laws and Resolutions of the corporation printed below this certificate are still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 25th day of September, 2025.



WESTERN SURETY COMPANY

Paula Kolsrud

Paula Kolsrud, Assistant Secretary

Authorizing By-Laws and Resolutions

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

This Power of Attorney is signed by Larry Kasten, Vice President, who has been authorized pursuant to the above Bylaw to execute power of attorneys on behalf of Western Surety Company.

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

"RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company."

Go to www.cnasurety.com > Owner / Obligor Services > Validate Bond Coverage, if you want to verify bond authenticity.



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number: 1-019-778-528
 Submitted Date and Time: 28-Sep-2025 1:48:00 PM
 Legal Name: ALLIED BLACKTOP COMPANY
 Federal Employer ID: 41-0827871
 User Who Submitted: N10503
 Type of Request Submitted: Contractor Affidavit

Affidavit Summary

Affidavit Number: 1566781440
Minnesota ID: 8606387
Project Owner: CITY OF MINNETRISTA
Project Number: 03-25 2025 PAVEMENT MAINTENANCE PROJECT FOG SEAL & CRACK FILL
Project Begin Date: 05-Aug-2025
Project End Date: 04-Sep-2025
Project Location: VARIOUS ROADS AND STREETS
Project Amount: \$33,056.57

Subcontractor Summary

Name	ID	Affidavit Number
HIGHWAY PARKING SIGNS AND SAFETY, INC	8361428	1991192576

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-556-649-440
Submitted Date and Time:	28-Sep-2025 1:44:44 PM
Legal Name:	HIGHWAY PARKING SIGNS AND SAFETY INC
Federal Employer ID:	88-3775212
User Who Submitted:	H.P.S.S.
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1991192576
Minnesota ID:	8361428
Project Owner:	CITY OF MINNETRISTA
Project Number:	03-25 2025 PAVEMENT MAINTENANCE PROJECT FOG SEAL & CRACK FILL
Project Begin Date:	05-Aug-2025
Project End Date:	06-Aug-2025
Project Location:	VARIOUS ROADS AND STREETS
Project Amount:	\$5,670.00
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

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Please [print this page](#) for your records using the print or save functionality built into your browser.



October 9, 2025

Honorable Mayor and City Council
c/o Jasper Kruggel
City of Minnetrista
7701 County Road 110 West
Minnetrista, MN 55364

Re: Construction Final Pay Voucher No. 1
2025 Pavement Maintenance Project – Fog Seal & Crack Fill
City Project No. 03-25
WSB Project No. 028526-000

Dear Honorable Mayor and City Council:

Please find attached Final Construction Pay Voucher No. 1 for the above-referenced project in the amount of \$33,056.57. The quantities completed to date have been reviewed and agreed upon by the contractor and WSB and all retainage on the contract has been released.

Attached is the documentation required for releasing final payment and closing out the project:

1. Satisfactory showing that the Contractor has complied with the provisions of Minnesota Statutes 290.92 requiring withholding state income tax (IC134 forms).
2. Consent of Surety to Final Payment certification from the Contractor's surety.
3. A one-year maintenance bond.

Please give me a call at 612.849.6157 if you have any questions.

Sincerely,

WSB

Emily Brown, PE
Project Manager

Attachments

cc: Jeremy Swenson, Allied Blacktop Company

srb

RESOLUTION NO. 92-25

A RESOLUTION ACCEPTING IMPROVEMENTS AND AUTHORIZING FINAL PAYMENT FOR THE CRACK FILL/FOG SEAL APPLICATIONS PORTION OF THE 2025 PAVEMENT MAINTENANCE PROJECT – CRACK FILL/FOG SEAL/RECLAMITE (CITY PROJECT NO. 03-25)

WHEREAS, pursuant to a written contract signed with the City on May 29, 2025, Allied Blacktop Company has satisfactorily completed the Crack Fill/Fog Seal portion of the 2025 Pavement Maintenance Project – Seal Coat/Crack Fill/Reclamite (City Project No. 05-23) in accordance with such contract; and

WHEREAS, Allied Blacktop Company has supplied a maintenance bond terminating on September 30, 2026.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Minnetrista, Minnesota, the crack fill and fog seal work completed under said contract is hereby accepted and approved; and

BE IT FURTHER RESOLVED by the City Clerk and Mayor are hereby directed to issue a proper order for the final payment on such contract.

This resolution was adopted by the City Council of the City of Minnetrista on the 20th day of October 2025, by a vote of _____ Ayes and _____ Nays.

Mayor Lisa Whalen

ATTEST:

Ann Meyerhoff
City Clerk