

FOREWORD

At the outset of this project, the Editors provided each of our authors with a format to be used for each jurisdiction. The intent of the *Payment Bond Manual, Third Edition* is to provide a general review of the applicable statute and noteworthy case law concerning payment bonds for each jurisdiction. Our format is set forth below, with a brief explanation of each subsection. To the greatest extent possible, we have attempted to maintain a uniformity of format for the ease of our readers.

STATE AUTHOR(S)

1. Amount of Bond

Highlights whether the amount of the bond must be equal to the underlying contract price or some percentage of it.

2. Labor and Material Covered

Discusses what labor and materials are covered by the bond.

3. Tiers Covered

Sets forth what parties are afforded coverage by the bond.

4. Notice Required

Describes the notice requirements that a claimant under the bond must satisfy in order to preserve its claim rights.

5. Time for Suit

Provides the limitation periods that a claimant must satisfy in order to timely bring suit against the bond.

6. Contracts Excluded

Identifies all contracts that are specifically excluded from bond coverage.

7. Procedure

Discusses any nuances of state law as to the handling and administration of lawsuits unrelated to notice and time limitations, such as venue requirements, speedy trial opportunities, jurisdictional limitations, etc.

8. Attorney's Fees, Interest and Finance Charges

Addresses statutory provisions and case law concerning whether attorney's fees, interest and finance charges are recoverable against the bond.

9. Special Provisions

Covers statutory provisions that would be of interest to the legal practitioner and company representatives that are not covered in the other sections.

10. Remarks

Discusses in narrative form any nuances of the state bond law that are not conducive to a quick synopsis in the previous sections.

11. Case Annotations

Provides useful case citations and case summaries that help explain areas of the law that are not covered in any previous section, but that are helpful to an understanding of that jurisdiction's law.