

# APPLICATION FOR DRAIN LAYING

Application Fee \$250.00 CITY CLERK'S OFFICE  
SOMERVILLE, MA  
Date MAY 17, 2010

FOR CITY CLERK'S OFFICE ONLY	
Date Recorded	<u>4/18/10 -ms</u>
Amount Paid	<u>\$ 250.00 ck # 27969</u>

- New Application
- Renewing Application with Additions or Changes
- Renewing Application with NO Additions or Changes

Business Name: ROBERT W. IRVINE & SONS, INC. Phone: 781-581-0464

Business DBA Name (if applicable): \_\_\_\_\_

Address with Zip Code: 147 BLOSSOM STREET LYNN, MA. 01902

Tax Identification Number: 04-2513028 Check one:  SSN  FEIN

Mailing Name (where we should send correspondence to): ROBERT W. IRVINE & SONS, INC.

Address with Zip Code: 147 BLOSSOM STREET LYNN, MA. 01902

Property Owner Name: DEPARTMENT OF CONSERVATION & RECREATION Phone: 617-626-1441

Address with Zip Code: 251 CAUSEWAY ST. BOSTON, MA. 02118

Emergency Contact 1: MARK J. IRVINE Phone: 781-581-0464

Emergency Contact 2: \_\_\_\_\_ Phone: \_\_\_\_\_

Type of Business (Check one):  Sole Proprietor  Partnership (inc. LLP)  Trust  
 Corporation (inc. LLC)  Other \_\_\_\_\_

### IF A SOLE PROPRIETOR:

Owner's Name: \_\_\_\_\_

Address with Zip Code: \_\_\_\_\_

### IF A PARTNERSHIP, TRUST OR CORPORATION (Attach additional sheets as needed):

Partner's/Member's/President's Name: \_\_\_\_\_

Address with Zip Code: \_\_\_\_\_

Partner's/Member's/Secretary's Name: \_\_\_\_\_

Address with Zip Code: \_\_\_\_\_

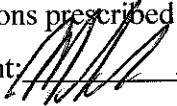
Partner's/Member's/Treasurer's Name: \_\_\_\_\_

Address with Zip Code: \_\_\_\_\_

Attach a Drain Layers Bond in the amount of \$10,000. If you are a corporation, attach the Certificate of Corporate Authority showing that whoever signs for the corporation has the legal authority to do so.

**ACKNOWLEDGEMENT**

I hereby state that all information provided on this application is true and accurate, and I understand that any information that is found to be false or misleading may result in the forfeiture of this license. This license will be subject to all of the terms, conditions, and limitations set forth in the Somerville Code of Ordinances, any applicable State and Federal laws, and any conditions prescribed by the City of Somerville.

Signature of Applicant:  Date: MAY 17, 2010  
Print Name: MARK J. IRVINE Phone: 781-581-0464

**FOR ALL APPLICANTS WITHOUT A CURRENT LICENSE:**

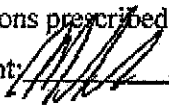
**ENGINEERING DEPARTMENT RECOMMENDATION:**

The Engineering Department recommends that the application be:  Approved  Denied  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Attach a Drain Layers Bond in the amount of \$10,000. If you are a corporation, attach the Certificate of Corporate Authority showing that whoever signs for the corporation has the legal authority to do so.

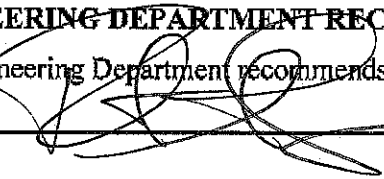
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Signature of Applicant:  Date: MAY 17, 2010  
Print Name: MARK J. IRVINE Phone: 781-581-0464

**FOR ALL APPLICANTS WITHOUT A CURRENT LICENSE:**

**ENGINEERING DEPARTMENT RECOMMENDATION:**

The Engineering Department recommends that the application be:  Approved  Denied  
Signature  Date 05.19.10

147 Blossom Street  
Lynn, MA 01902  
Tel. (781) 581-0464  
Fax (781) 581-2860

# Robert W. Irvine & Sons Inc.

**Reference:**

Plumbing Services as needed for Various City and School Departments

Three current references where RWI is providing the same services:

<u>Location</u>	<u>Contact</u>	<u>Telephone</u>
City of Danvers	Bruce Estes	978-762-0232
MA Department of Conservation & Recreation	Mourad Gabra	617-626-8911
City of Gloucester	Marc Cole	978-423-1797
City of Lynn	Butch Barnes	781-598-4000
City of Beverly	Chris Rand	978-921-6000

**FAXED**  
5/17/10

617-625-4454

**License and/or Permit Term Bond**

Bond No. LPM7615506

KNOW ALL MEN BY THESE PRESENTS:

That we,

Robert W. Irvine & Sons, Inc.

as Principal, and Fidelity and Deposit Company of Maryland, incorporated under the laws of the State of Maryland, with principal office in Schaumburg IL

as Surety, are held and firmly bound unto City of Somerville

as Obligee, in the penal sum of Ten Thousand and Zero Cents Dollars, lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly, by these presents.

WHEREAS, the above bounden Principal has obtained or is about to obtain from the said Obligee a license or permit for Drain Layers Bond for the City of Somerville; and the term of said license or permit begins the 17th day of May, 2010 and ends the 17th day of May, 2011.

WHEREAS, the Principal is required by law to file with City of Somerville

a bond for the above indicated term and conditioned as hereinafter set forth.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bounden Principal as such licensee or permittee shall indemnify said Obligee against all loss, costs, expenses or damage to it caused by said Principal's non-compliance with or breach of any laws, statutes, ordinances, rules or regulations pertaining to such license or permit issued to the Principal, which said breach or non-compliance shall occur during the term of this bond, then this obligation shall be void, otherwise to remain in full force and effect.


PROVIDED, that if this bond is for a fixed term, it may be continued by Certificate executed by the Surety hereon; and

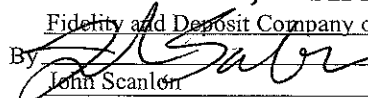
PROVIDED FURTHER, that regardless of the number of years this bond shall continue or be continued in force and of the number of premiums that shall be payable or paid the Surety shall not be liable hereunder for a larger amount, in the aggregate, than the amount of this bond, and

PROVIDED FURTHER, that if this is a continuous bond and the Surety shall so elect, this bond maybe cancelled by the Surety as to subsequent liability by giving thirty (30) days notice in writing to said Obligee.

Signed, sealed and dated the 17th day of May, 2010

Robert W. Irvine & Sons, Inc. *Principal*

By   
**MARK J. IRVINE, PRESIDENT**  
Fidelity and Deposit Company of Maryland

By , *Attorney-in-Fact*

**Power of Attorney  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

**HOME OFFICE: 600 RED BROOK BOULEVARD, OWINGS MILLS, MD 21117**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by Frank E. Martin, Jr., Vice President and Gerald F. Haley, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the next page hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint John Scanton, 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: Bond or undertaking number LPM7615506, issued on behalf of Robert W. Irvine & Sons, Inc., as Principal in a penalty not to exceed the sum of Twelve Thousand and Zero Cents (\$12,000) and the execution of such bond or undertaking in pursuance of these presents, shall be as binding upon said company, as fully and amply, to all intents and purposes, as if it had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Owings Mills, MD, in their own proper persons.

The said Assistant Secretary does hereby certify that the extract set forth on the next page hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND this 17th day of May, A.D. 2010.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



*Gerald F. Haley*

Gerald F. Haley Assistant Secretary

By: *Frank E. Martin Jr.*

Frank E. Martin, Jr. Vice President

State of Maryland }  
County of Baltimore } ss:

On this 17th day of May, A.D. 2010, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came Frank E. Martin, Jr., Vice President, and Gerald F. Haley, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and say, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Constance A. Dunn*

Constance A. Dunn Notary Public  
My Commission Expires: July 14, 2011

**EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President or any Vice President that is specially authorized by the Board of Directors or the Chairman in concurrence with the Corporate Secretary, shall have the power, by and with the concurrence of the Secretary, to appoint Attorney-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto.”

**CERTIFICATE**

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

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 FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 5th day of May, 1994.

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 Seal of the said Company, this 17th day of May, 2010.



L.L. Goucher

*Assistant Secretary*



**CERTIFICATE OF CORPORATE AUTHORITY**

I, APRIL YOUNG, Clerk of  
Name of Clerk or Secretary

ROBERT W. IRVINE & SONS, INC. hereby certify that,  
Name of Corporation

at a meeting of the Board of Directors of said Corporation duly held on the 3rd day of  
Date  
MAY, 2010, at which a quorum was present and voting throughout, the following  
Month Year  
vote was duly passed and is now in full force and effect:

VOTED: That MARK J. IRVINE be and  
Name of Officer authorized to sign for the Corporation

hereby is authorized, directed and empowered, in the name and on behalf of this Corporation, to  
sign, seal with the corporate seal, execute, acknowledge and deliver all contracts, bonds and  
other obligations of the Corporation, the execution of any such contract, bond or obligation by  
such MARK J. IRVINE to be valid  
Name of Officer authorized to sign for the Corporation

and binding upon this Corporation for all purposes. This vote remains in full force and effect,  
and

has not been altered, amended or revoked by a subsequent vote of such directors.

I further certify that MARK J. IRVINE  
Name of Officer authorized to sign for the Corporation  
is the duly elected PRESIDENT of said Corporation.  
Title

Signed *April Young*  
Clerk or Secretary

Place of Business 147 BLOSSOM STREET LYNN, MA. 01902

Date MAY 17, 2010

AFFIX CORPORATE SEAL HERE

In the event that the Clerk or Secretary is the same person as the Officer authorized to  
sign that contract, bond or other instrument for the Corporation, this certificate must be counter-  
signed by another Officer of the Corporation.

Countersigned \_\_\_\_\_

Name & Title of Countersigning Officer \_\_\_\_\_

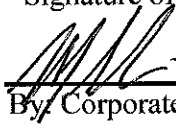


**MASSACHUSETTS DEPARTMENT OF REVENUE  
REVENUE ENFORCEMENT AND PROTECTION (REAP)  
ATTESTATION**

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all State tax returns and paid all State taxes required under law.

ROBERT W. IRVINE & SONS, INC.

\_\_\_\_\_  
\*Signature of Individual or Corporate Name (Mandatory)



\_\_\_\_\_  
, PRESIDENT

By Corporate Officer (Mandatory, if a corporation)

04-2513028

\_\_\_\_\_  
\*\*Social Security Number (Voluntary) or Federal Identification Number (Mandatory, if a corporation)

\* This license will not be issued unless this certification clause is signed by the applicant.

\*\* Your Social Security Number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G.L. c. 62C s. 49A.

**The Commonwealth of Massachusetts**  
**Department of Industrial Accidents**  
**Office of Investigations**  
**600 Washington Street**  
**Boston, Mass. 02111**

**Workers' Compensation Insurance Affidavit - General Businesses**

**Applicant information:**

Name: ROBERT W. IRVINE & SONS, INC.  
Address: 147 BLOSSOM STREET  
City: LYNN State: MA Zip: 01902 Phone #: 781-581-0464

- I am an employer with 40 employees (full and/or part time). Business Type:  Retail  
 I am a sole proprietor or partnership and have no employees.  Restaurant/Bar/Eating Establishment  
 We are a corporation that has exercised our right of exemption per c152 s1(4), and have no employees.  Office and/or Sales (real estate, auto, etc.)  
 We are a nonprofit organization staffed by volunteers and have no employees.  Nonprofit  
 Entertainment  
 Manufacturing  
 Health Care  
 Other MECHANICAL CONTRACTOR

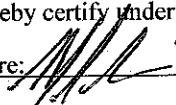
**Workers' compensation insurance information (if applicable):**

Insurance Company Name: MAZONSON LLC  
Address: 701 EDGEWATER DRIVE  
City: WAKEFIELD State: MA Zip: 01880 Phone #: 781-224-5763  
Policy #: WA010579515 Expiration Date: 12/31/2010

**Applicant certification:**

Failure to secure coverage as required under Section 25A of MGL 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one years' imprisonment as well as civil penalties in the form of a STOP WORK ORDER and a fine of \$100.00 a day against me. I understand that a copy of this statement may be forwarded to the Office of Investigations of the DIA for coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.

Signature:  Date: MAY 17, 2010  
Print Name: MARK J. IRVINE

*Official use only. Do not write in this area. To be completed by city or town official.*

City or Town: \_\_\_\_\_ Permit/License #: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 Board of Health  
 Building Department  
 City/Town Clerk  
 Licensing Board  
 Selectmen's Office  
 Other \_\_\_\_\_