

Bond Case Briefs

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CONTRACTS - ILLINOIS

Lake County Grading Co., LLC v. Village of Antioch

Supreme Court of Illinois - October 17, 2014 - N.E.3d - 2014 IL 115805

Grading subcontractor, who had not been paid for work on subdivisions by general contractor, brought common law third-party beneficiary breach of contract action against village.

The Circuit Court granted subcontractor summary judgment, and village appealed. The Appellate Court affirmed. Village petitioned for leave to appeal.

The Supreme Court of Illinois held that bonds procured under Public Construction Bond Act were deemed to contain both completion and payment provisions.

Paragraph of the Public Construction Bond Act mandating that a political subdivision of the State, whenever making a contract for public works in excess of the specified dollar threshold, must have the contractor deliver “a bond” with good and sufficient sureties does not require the furnishing of a “completion bond” and a “payment bond” but, rather, the procurement of “a bond” for the public work.