

Department of Public Works and Highways (DPWH)

Contract ID:

Contract Name:

Location of the Contract:

PERFORMANCE SECURITY: BANK GUARANTEE

To : _____
Name of Head of the Procuring Entity

Address

WHEREAS, _____ (hereinafter called "the Contractor")
Name and Address of Contractor
has undertaken to enter into a contract with you to execute _____
Contract Number and Name
(hereinafter called "the Contract");

AND WHEREAS, it has been stipulated by you in the said Contract that the Contractor shall furnish you with a Bank Guarantee by a recognized bank for the sum specified therein as Performance Security for compliance with his obligations in accordance with the Contract;

AND WHEREAS, we have agreed to give the Contractor such a Bank Guarantee;

NOW THEREFORE, we hereby affirm that we are the Guarantor and responsible to you, on behalf of the Contractor, up to a total of _____ proportions of currencies in which the
Amount of Guarantee
Contract Price is payable, and we undertake to pay you, upon your first written demand and without cavil or argument, any sum or sums within the limits of _____ as aforesaid without
Amount of Guarantee
your needing to prove or to show grounds or reasons for your demand for the sum specified therein.

We hereby waive the necessity of your demanding the said debt from the Contractor before presenting us with the demand.

We further agree that no change or addition to or other modification of the terms of the Contract to be performed thereunder or of any of the Contract documents which may be made between you and the Contractor shall in any way release us from any liability under this guarantee, and we hereby waive notice of any such change, addition or modification.

The right to institute action on this guarantee pursuant to Act No. 3688 of any individual, firm, partnership, corporation and association supplying the Contractor with labor and materials for the prosecution of the works is hereby acknowledged and confirmed.

This guarantee shall be valid until the date of issuance to the Contractor of your Certificate of Acceptance of the completed works after the end of the one-year Defects Liability Period of the Contract.

SIGNATURE AND SEAL OF THE GUARANTOR _____
NAME OF BANK _____
ADDRESS _____
DATE _____