

# 52.228-1 Bid Guarantee.

As prescribed in 28.101-2 , insert a provision or clause *substantially as follows*:

Bid Guarantee (Sept 1996)

(a) Failure to furnish a bid guarantee in the proper form and amount, by the time set for opening of bids, *may* be cause for rejection of the bid.

(b) The bidder *shall* furnish a bid guarantee in the form of a firm commitment, *e.g.*, bid bond supported by good and sufficient *surety* or *sureties* acceptable to the Government, postal money order, certified check, cashier's check, *irrevocable letter of credit*, or, under Treasury Department regulations, certain bonds or notes of the *United States*. The *Contracting Officer* will return bid guarantees, other than bid bonds-

(1) To unsuccessful bidders as soon as practicable after the opening of bids; and

(2) To the successful bidder upon execution of contractual documents and bonds (including any necessary coinsurance or reinsurance agreements), as required by the bid as accepted.

(c) The amount of the bid guarantee *shall* be \_\_\_\_\_ percent of the bid price or \$\_\_\_\_\_, whichever is less.

(d) If the successful bidder, upon acceptance of its bid by the Government within the period specified for acceptance, fails to execute all contractual documents or furnish executed bond(s) within 10 days after receipt of the forms by the bidder, the *Contracting Officer* *may* terminate the contract for default.

(e) In the event the contract is terminated for default, the bidder is liable for any cost of acquiring the work that exceeds the amount of its bid, and the bid guarantee is available to offset the difference.

(End of clause)

**Parent topic:** 52.228 [Reserved]