

# PERFORMANCE BOND

**DATE BOND EXECUTED** (Must be same or later than date of subcontract)

<b>PRINCIPAL</b> (Legal name and business address)	<b>TYPE OF ORGANIZATION</b> ("X" one) <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> JOINT VENTURE  <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER (Specify) [ ]		
<b>SURETY(IES)</b> (Name(s) and business address(es)) [ ]	<b>STATE OF INCORPORATION</b> [ ]		
<b>PENAL SUM OF BOND</b>			
<b>MILLION(S)</b> [ ]	<b>THOUSAND(S)</b> [ ]	<b>HUNDRED(S)</b> [ ]	<b>CENTS</b> [ ]
<b>SUBCONTRACT DATE</b> [ ]		<b>SUBCONTRACT NUMBER</b> [ ]	

**OBLIGATION:**

We, the Principal and Surety(ies), are firmly bound to National Technology and Engineering Solutions of Sandia, LLC, a Delaware Corporation, (hereinafter called NTESS) in the above penal sum. For payment of the penal sum, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally. However, where the Sureties are corporations acting as co-sureties, we, the Sureties, bind ourselves in such sum "jointly and severally" as well as "severally" only for the purpose of allowing a joint action or actions against any or all of us. For all other purposes, each Surety binds itself, jointly and severally with the Principal, for the payment of the sum shown opposite the name of the Surety. If no limit of liability is indicated, the limit of liability is the full amount of the penal sum.

**CONDITIONS:**

The Principal has entered into the subcontract identified above under Prime Contract DE-NA0003525.

**THEREFORE:**

The above obligation is void if the Principal-

- (a) Performs and fulfills all the understanding, covenants, terms, conditions, and agreements of the contract during the original term of the subcontract and any extensions thereof that are granted by NTESS, with or without notice of the Surety(ies) and during the life of any guaranty required under the subcontract, and shall also perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of the subcontract that hereafter are made. Notice of those modifications to the Surety(ies) are waived.
- (b) Pays to NTESS the full amount of the taxes imposed by NTESS, if the said subcontract is subject to 41 USC Chapter 31, Subchapter III, Bonds, which are collected, deducted, or withheld from wages paid by the Principal in carrying out the construction subcontract with respect to which this bond is furnished.

**WITNESS:**

The Principal and Surety(ies) executed this performance bond and affixed their seals on the above date.

### PRINCIPAL

SIGNATURE(S)	1. [ ] (Seal)	2. [ ] (Seal)	3. [ ] (Seal)	Corporate Seal
NAME(S) & TITLE(S) (Typed)	1. [ ]	2. [ ]	3. [ ]	

### INDIVIDUAL SURETY(IES)

SIGNATURE(S)	1. [ ] (Seal)	2. [ ] (Seal)
NAME(S) (Typed)	1. [ ]	2. [ ]

### CORPORATE SURETY(IES)

<b>SURETY A</b>	NAME & ADDRESS	[ ]	STATE OF INCORPORATION	[ ]	Corporate Seal
	SIGNATURE(S)	1. [ ]	2. [ ]		
	NAME(S) & TITLE(S) (Typed)	1. [ ]	2. [ ]		

**CORPORATE SURETY(IES) (Continued)**

SURETY B	NAME & ADDRESS	[REDACTED]	STATE OF INCORPORATION	[REDACTED]	LIABILITY LIMIT (\$)	[REDACTED]	Corporate Seal
	SIGNATURE(S)	1. _____	2. _____				
	NAME(S) & TITLE(S) <i>(Typed)</i>	1. [REDACTED]	2. [REDACTED]				
SURETY C	NAME & ADDRESS	[REDACTED]	STATE OF INCORPORATION	[REDACTED]	LIABILITY LIMIT (\$)	[REDACTED]	Corporate Seal
	SIGNATURE(S)	1. _____	2. _____				
	NAME(S) & TITLE(S) <i>(Typed)</i>	1. [REDACTED]	2. [REDACTED]				

The rate of premium on this bond is \_\_\_\_\_ per thousand.

Total amount of premium charged, \$ \_\_\_\_\_.

*(The above must be filled in by corporate surety)*

**CERTIFICATE AS TO CORPORATE PRINCIPAL**

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_ secretary of the corporation named as principal within the bond; that \_\_\_\_\_, who signed the said bond on behalf of the principal, was then \_\_\_\_\_ of said corporation; that I know his or her signature, and his signature thereto is genuine; and that said bond was duly signed, sealed, and attested for and in behalf of said corporation by authority if its governing body.

\_\_\_\_\_  
 CORPORATE SEAL