

PERFORMANCE AND PAYMENT BONDS

INSTRUCTIONS

1. This form shall be used for construction work or the furnishing of supplies, wherever a bond is required.
2. Business Permit: Bonding companies, insurance, or banks are required to have a Certificate of Authority and/or business permit in the Northern Mariana Islands in order to bond a contractor or his subcontractor(s) for his project.
3. The name, including full Christian name, and residence of each individual party to the bond shall be inserted in the body thereof, and each such party shall sign the bond with his signature on the line opposite the scroll seal.
4. If the principals are partners, their individual names shall appear in the body of the bond, with recital that they are partners composing a firm, naming it, and all the members of the firm shall execute the bond as individuals.
5. The signature of a witness shall appear in the appropriate place, attesting the signature of each individual party to the bond.
6. If the principle or surety is a corporation, the name of the State or Territory in which incorporated shall be inserted in the appropriate place in the body of the bond, and said instrument shall be executed and attested under the corporate seal as indicated in the form. If the corporation has no corporate seal the fact shall be stated, in which case a scroll or adhesive seal shall appear following the corporate name.
7. The official character and authority of the person or persons executing the bond for the principal, if a corporation, shall be certified by the secretary or the assistant secretary, according to the form attached thereto, in lieu of such certificate, there must be action as will show the official character and authority of the officer signing, duly certified by the secretary or assistant secretary, under the corporate seal, to be a true copy.
8. The date of the bond must not be prior to the date of the instrument for which it is given.
9. All bonds and guarantees for bid, payment and performance whether provided by a Surety or guarantor must be submitted in the forms provided in the Contract specifications. Deviations from such forms may be cause for rejection.
10. Contract Security: The Commonwealth of the Northern Mariana Islands will accept contract surety from any reputable insurance, bonding company or bank acceptable to the Commonwealth of the Northern Mariana Islands.

PAYMENT BOND

KNOW ALL MEN BY THESE PRESENT, that we,
_____ as _____, PRINCIPAL, and
_____, as SURETY, are held and firmly
bound unto the Commonwealth of the Northern Mariana Islands, hereinafter call "the Government", in the
penal sum of:

_____ Dollars (US\$ _____) for the payment of which sum will and truly to be made,
we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by
these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that whereas the Principal entered into a
certain contract, hereto attached, with the Government dated _____, 20_____, for the
_____.

NOW, THEREFORE, if the Principal shall promptly make payment to all persons, suppliers,
laborers, and materials in the prosecution of the work provided for in said contract, and any and all duly
authorized modifications of said contract that may hereafter be made, notice of which modifications to the
Surety being hereby waived, then, this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bounden parties have executed this instrument under their
several seals, this _____ day of _____, 20__, the name and corporate seal of
each corporate party being hereto affixed and these presents duly signed by its undersigned
representative, pursuant to authority of its governing body.

The rate of premium on this bond is _____ per thousand.

The amount of premium charges is _____.

(The above must be filled in by Corporate Surety).

IN PRESENCE OF:

(Individual Principal) _____SEAL

(Business Address)

(Individual Principal) _____SEAL

(Business Address)

Attest: _____
(Corporate Principal) _____SEAL

(Business Address)

AFFIX CORPORATE SEAL

BY:

Attest:

(Corporate Surety) SEAL

(Business Address)

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, _____, certify that I am the Secretary of the Corporation named as Principal in the within bond; that _____, who signed the said bond on behalf of the Principal was then _____ of said Corporation; that I know his/her signature, and his/her signature is genuine; and that said bond was duly signed, sealed and attested for and on behalf of said Corporation by authority of its governing body.

(Corporate Seal)

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENT, that we,
_____ as _____, PRINCIPAL, and
_____, as SURETY, are held and firmly
bound unto the Commonwealth of the Northern Mariana Islands, herinafter call "the Government", in the
penal sum of:

_____ Dollars (US\$ _____) for the payment of which sum will and truly to be made,
we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by
these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that whereas the Principal entered into a
certain contract, hereto attached, with the Government dated _____, 20__, for the
_____.

NOW, THEREFORE, if the Principal shall promptly make payment to all persons, suppliers,
laborers, and materials in the prosecution of the work provided for in said contract, and any and all duly
authorized modifications of said contract that may hereafter be made, notice of which modifications to the
Surety being hereby waived, then, this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bounden parties have executed this instrument under their
several seals, this _____ day of _____, 20_____, the name and corporate
seal of each corporate party being hereto affixed and these presents duly signed by its undersigned
representative, pursuant to authority of its governing body.

The rate of premium on this bond is _____ per thousand.

The amount of premium charges is _____.

(The above must be filled in by Corporate Surety).

IN PRESENCE OF:

(Individual Principal) SEAL

(Business Address)

(Individual Principal) SEAL

(Business Address)

Attest: _____
(Corporate Principal) SEAL

(Business Address)

AFFIX CORPORATE SEAL

BY:

Attest:

(Corporate Surety) SEAL

(Business Address)

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, _____, certify that I am the Secretary of the Corporation named as Principal in the within bond; that _____, who signed the said bond on behalf of the Principal was then _____ of said Corporation; that I know his/her signature, and his/her signature is genuine; and that said bond was duly signed, sealed and attested for and on behalf of said Corporation by authority of its governing body.

(Corporate Seal)

Signed this _____ day of _____, 20__ under penalty of perjury.

NOTE

The only acceptable signatures for Sections 7-102(1)(a) or (c) are sole proprietor, general partner, or senior corporate officer. For Sections 7-102(1)(b) or (d) (Joint Venture) only the proprietor, a partner, or officer of business or businesses applying may sign.

SIGNATURE: _____

NAME: _____

TITLE: _____

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988.

In addition, this certification is a material representation of fact upon which reliance is placed when the Government determines to award the contract. If it is later determined that the contractor knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the Government, in addition to any other remedies available, may take action authorized under the Drug-Free Workplace Act.

- A. The contractor certifies that it will provide a drug-free workplace by:
- B. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited at the contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (a) Establishing a drug-free awareness programs to inform employees about:
 - (1) The dangers of drug abuse in the workplace; and the contractor's policy of maintaining a drug-free workplace;
 - (2) Any available drug counseling, rehabilitation and employee assistance programs; and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (b) Making it a requirement that such employee to be engaged in the performance of the work be given a copy of the statement required by paragraph (a);
 - (c) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the contract, the employee will:
 - (1) Abide by the terms of the statement and notify the employer of any criminal drug statue conviction for a violation occurring in the workplace no later than five days after such conviction;
 - (d) Notifying the Government within ten days after receiving notice under subparagraph (d) (1), with respect to any employee or otherwise receiving actual notice of such conviction;
 - (e) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(1), with respect to any employee who is so convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination; or requiring such employee to participate satisfactorily, complete a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or Local health, law enforcement, or other appropriate agency;
 - (f) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).
- C. Insert in the space provided below, or include as a separate attachment, a list of the site(s) for the performance of work done in connection with the specific contract:

Place of Performance (Street, Road, Village, Island)

Representative: _____
(Print Name) (Signature)

Title: _____

Company: _____