

Performance Securing Declaration

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

PERFORMANCE SECURING DECLARATION

(For Framework Agreement and Section 76 of the Implementing Rules and Regulations of
Republic Act No. 12009)

Invitation to Bid: [Insert Reference Number indicated in the Bidding Documents]

To: [Insert name and address of the Procuring Entity]

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, to guarantee the faithful performance by the supplier/distributor/manufacture/contractor/consultant of its obligations under the Contract, I/we shall submit a Performance Securing Declaration within a maximum period of ten (10) calendar days from the receipt of the Notice of Award prior to the signing of the Contract;
2. I/We accept that: I/we will be automatically disqualified from bidding for any procurement contract with any Procuring Entity, upon receipt of your Blacklisting Order if I/We have violated my/our obligations under the Contract; and
3. I/We understand that this Performance Securing Declaration shall cease to be valid upon:
 - a) Issuance by the Procuring Entity of the Certificate of Final Acceptance, subject to the following conditions:
 - i. Procuring Entity has no claims filed against the contract awardee;
 - ii. Procuring Entity has no claims for labor and materials filed against the contractor; and
 - iii. Other terms of the contract; or

[Add this paragraph for Framework Agreement]

- b) replacement by the winning bidder of the submitted PSD with a performance security in any of the prescribed forms under Section 68.4 and 68.5 of the Implementing Rules and Regulations of RA No. 12009 as required by the Procuring Entity.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand/s this ____ day of [month] [year] at [place of execution].

[NAME OF BIDDER OR ITS AUTHORIZED
REPRESENTATIVE]
[Position/Designation]
Affiant

SUBSCRIBED AND SWORN to before me this ____ day of [month] [year] at [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by

me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. _____ issued on _____ at ____.

NAME OF NOTARY PUBLIC

Serial No. of Commission _____

Notary Public for _____ until _____

Roll of Attorneys No. _____

PTR No. __, *[date issued]*, *[place issued]*

IBP No. __, *[date issued]*, *[place issued]*

Doc. No. ____

Page No. ____

Book No. ____

Series of ____.