# **Form 13 – PERFORMANCE SECURITY FORM**

PERFORMANCE SECURITY

*(Bidder should be noted that Performance Security shall not be submited with Bid)*

**Tender Ref:** *[Insert tender reference number]*

**Beneficiary:** World Wide Fund for Nature – Representative Office in Vietnam

**Date:** *[Insert date of issue]*

**PERFORMANCE GUARANTEE No.:** *[Insert guarantee reference number]*

**Guarantor:** *[Insert name and address of place of issue, unless indicated in the letterhead]*

We have been informed that *[Insert name and address of supplier, which in the case of a joint venture shall be the name and address of the joint venture]* (hereinafter called “the Applicant”) has entered into Contract No. *[Insert reference number of the contract]* dated *[Insert contract date]* with the Beneficiary, for the supply of *[insert name and short description of Assignment or Goods to be supplied under the Contract]* (hereinafter called “the Contract”). Furthermore we understand that, according to the conditions of the Contract, a performance guarantee is required for [*insert amoun*t ] % of the contract price.

Waiving all objections and defences, we, as Guarantor, hereby irrevocably and independently undertake to pay the Beneficiary, any sum or sums not exceeding in total an amount of *[Insert guarantee amount and currency in words and figures][[1]](#footnote-1)* upon receipt by usof the Beneficiary’s first demand, supported by the Beneficiary’s statement, whether in the demand itself or a separate signed document accompanying or identifying the demand, stating that the Applicant is in breach of its obligation(s) under the Contract, without the Beneficiary needing to prove or to show grounds for the demand or the sum specified therein.

In the event of any claim under this guarantee, payment shall be effected to *[insert detailed bank account information of Purchaser which can receive the payment*]

This guarantee shall expire not later than *[Insert expiry date][[2]](#footnote-2)*.

By this date we must have received any claims for payment by letter or encoded telecommunication.

It is understood that you will return this guarantee to us on expiry or after payment of the total amount to be claimed hereunder.

This guarantee is governed by the laws of Vietnam.

|  |  |  |
| --- | --- | --- |
| Place, date |  | Guarantor’s authorized signature(s) |

1. This guarantee shall be issued in the contract currency only. [↑](#footnote-ref-1)
2. the guarantee shall be valid for at least 30 days from the date of contractual contract completion (including warranty obligations). [↑](#footnote-ref-2)