

V. BONDS

- 5.01 May be Required.** The County may, and if mandated by statute, shall, require a bid bond, a performance bond, and/or a payment bond, to the extent permitted by applicable state statutes, for any contracts, by including such requirement in the bid specifications or request for proposals. Any such bond so required shall be executed with a surety company authorized to do business in the State of Texas.
- 5.02 Bid Bond.** If contract is for the construction of public works or is a contract exceeding One Hundred Thousand Dollars (\$100,000.00) the bid specifications or request for proposal may require the bidder a good and sufficient bid bond in the amount of five percent (5%) of the total price.
- 5.03 Payment & Performance Bond-Permissive.** In the event the contract exceeds Fifty Thousand Dollars (\$50,000.00), the County may require the successful bidder to furnish a payment bond and a performance bond to the County in the full amount of the contract within thirty (30) days after the date of signing of the contract or issuance of a Purchase Order following the acceptance of a bid or proposal, but in any event, prior to the commencement of actual work.
- 5.04 Contracts Less than \$50,000** In the event contract is for Fifty Thousand Dollars (\$50,000.00) or less, the County may identify in the bid notice or request for proposals that no money will be paid to the contractor until completion and acceptance of the work or the fulfillment of the purchase obligation to the County
- 5.05 Regulation Bidder-No Performance or Bid Bond.** A bidder of proposal offer whose rates are subject to regulations by a state agency may not be required to furnish a performance bond or a bid bond.
- 5.06 Performance and Payment Bond-Mandatory** If a contract is for the construction, alteration or repair of public building s or public works, the bid specifications shall require a performance performance bond for a contract in excess of One Hundred Thousand Dollars (\$100,000.00) and shall require a payment bond for a contract in excess of Twenty-Five Thousand Dollars (\$25,000.00), as required by Tex. Govt. Code Ch. 2253.