

SUGGESTED WORDING FOR BID GUARANTEE

Draft wording approved by: (insert applicant company name)

Name:
Position:

Name:
Position:

=====DRAFTED WORDING STARTS HERE=====
ISSUED BY: THE TORONTO DOMINION BANK
Montreal

ADVISING BANK: (TO BE ANNOUNCED*)
*IF KNOWN TO THE APPLICANT, PLEASE SPECIFY BENEFICIARY'S BANK OR THEIR CORRESPONDENT BANK, BANK MAILING ADDRESS, COUNTRY, AND SWIFT ADDRESS WHERE POSSIBLE.

INSTRUCTIONS TO ADVISING BANK: PLEASE NOTIFY THE BENEFICIARY WE ISSUE OUR FOLLOWING GUARANTEE NUMBER (TD BANK REFERENCE NUMBER TO BE INSERTED)

BENEFICIARY: [INSERT BENEFICIARY NAME & ADDRESS]

IN ACCORDANCE WITH YOUR INVITATION TO TENDER NUMBER [###] DATED [DD/MMM/YYYY], WITH A CLOSING DATE OF [DD/MMM/YYYY] FO THE SUPPLY OF [INSERT PRODUCT] WE THE TORONTO DOMINION BANK, MONTREAL, CANADA, HEREBY IRREVOCABLY GUARANTEE TO PAY FOR ACCOUNT OF [INSERT APPLICANT'S NAME] HERINAFTER CALLED THE TENDERERS, THE SUM OF [CURRENCY \$### & WORDS] AND ENGAGE OURSELVES TO EFFECT PAYMENT TO A DEPOSITORY OF YOUR CHOOSING AGAINST YOUR FIRST WRITTEN DEMAND, WITHOUT EXAMINING AND TAKING INTO CONSIDERATION ANY OBJECTION ON THE PART OF THE TENDERERS, STATING THAT THE TENDERERS HAVE BECOME LIABLE TO PAY YOU THE AMOUNT OF THIS GUARANTEE ARISING OUT OF THE WITHDRAWAL OF THEIR TENDER OR THEIR FAILURE AS A SUCCESSFUL BIDDER TO ENTER INTO A CONTRACT FOR THE SUPPLY OF [INSERT PRODUCT] WITHIN THE SPECIFIED TIME.

IT IS EXPRESSLY UNDERSTOOD THAT OUR GUARANTEE IS NOT ASSIGNABLE OR TRANSFERRABLE TO ANY THIRD PARTY

THIS OUR GUARANTEE EXPIRES AT OUR COUNTERS IN MONTREAL ON [DDD/MMM/YYYY] (I.E. [###] DAYS AFTER THE ABOVE-MENTIONED TENDER CLOSING DATE), AFTER WHICH DATE IT SHALL BECOME NULL AND VOID AND WILL BE REMOVED FROM OUR RECORDS. ANY DEMANDS RECEIVED AFTER SUCH EXPIRY DATE WILL NOT BE ENTERTAINED.

OUR GUARANTEE IS SUBJECT TO THE LAWS OF THE PROVINCE OF QUEBEC, CANADA.
=====DRAFTED WORDING ENDS HERE=====