SURETY PLAN

The Surety Plan must describe the methods the Contractor shall use to ensure the performance and completion of this Agreement and the mitigation of risk of the Contractor’s non-payment of subcontractor invoices. The intent of the surety plan is to assure AURA it will be made whole in the event of problems with payment or performance.

Elements of a surety plan may include but are not limited to:

* Providing a performance bond;
* Providing the payment schedule set forth in the Contract;
* Providing purchase money security interest (e.g., a security agreement and financing statement as described in Article 9 of the Federal Uniform Commercial Code);
* Providing insurance; and
* Providing security, safety, and work procedures as well as physical devices that protect the hardware.

Please respond to the following questions:

1) What methods will proposer use to ensure performance and completion of the Work?

Contractor, by providing the negotiated Payment Schedule (Milestone Payments) included in the contract, ensures that it will only be paid for goods actually procured and services actually performed.

2) How will proposer mitigate the risk of non-performance and non-payment of subcontractor invoices?

Contractor will require Subcontractor terms that limit any and all remedies sought for non-payment of services performed solely to Contractor, thus protecting AURA.

If Proposer is chosen to complete the Work, the Surety Plan will be subject to negotiation and final approval by AURA and Gemini.  The final approved version of all such plans shall be incorporated by reference into the Contract.