



DIVISION OF BUILDING SAFETY

201 S. Rosalind Avenue, 1st Floor

Reply To: Post Office Box 2687 ▪ Orlando, Florida 32802-2687

407-836-5522 ▪ Fax 407-836-5502

www.contractorlicensing@ocfl.net

**INSTRUCTIONS TO BONDING COMPANY
FOR PERFORMANCE BOND**

On the top line of the Orange County Performance bond, the Type of Contractor needs to be listed. For Example:

General Contractor Class "A"

Plumbing Contractor

Building Contractor Class "B"

Irrigation Sprinkler

Residential Contractor Class "C"

Electrical Contractor

Roofing Contractor

Air Conditioning – Class "A"

Aluminum/Concrete Contractor

Air Conditioning – Class "B"

Swimming Pool Contractor

Mechanical Contractor

Marine Contractor

Sheet Metal Contractor

Sign Installation, Non-Electrical Contractor

Sign Electrical Contractor

Sound, Signaling & Communication Systems

Electrical Contractor

Garage Door Installation

Siding, Window & Doors

Bonds must be executed in the name of the individual who holds the License

Individual name must be listed as it is shown on the State Contractor License, or Business Tax Receipt - (If no State Contractor License is required). Company name or DBA (doing business as), may also appear on the bond after the contractor's name. New bonds must be original; however, continuation bonds can be faxed, mailed or e-mailed to contractorlicensing@ocfl.net as long as the document is a readable straight clear copy.

Executed bonds must have the bonding company seal and the signature of a bonding company representative signature on the face of the bond.

For assistance, please contact Contractor Licensing at (407) 836-5522.



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Number _____

PERFORMANCE BOND

Bond for (Type of Contractor) _____ Contractor

KNOW ALL MEN BY THESE PRESENTS: That I, _____,
(Name of License Holder)

as Principal, AND _____
(Name of Insurance Company)

A corporate Surety authorized to do business in the State of Florida, (hereinafter called Surety), are held and firmly bound unto the Board of Orange County Commission, Orange County, State of Florida, in the penal sum of FIVE THOUSAND DOLLARS (\$5,000.00), the true payment thereof well and truly to be made we so bind ourselves, our respective heirs, executors, administrators, successors, and assigns jointly and severally, firmly by this Bond.

Dated This _____ Day Of _____, 20 _____.

The condition of this Bond is such that if the above bonded Principal, the said _____, Shall protect all persons suffering any loss or damage occasioned by said Principal failing to comply with any of the provisions of Orange County Code applicable to the work performed by the Principal, or the officer, employee or agent of said Principal, or under the direction and supervision of said Principal, and shall, without additional cost to the person for whom any such work is performed, remedy all defects in said work due to faulty workmanship or material furnished or used by said Principal, and shall reconstruct and repair any such defective work and shall replace or make good any such defective material in the class of work embraced in the Code applicable thereto, at any time within one (1) year after the performance of any such work by said Principal, his agents or employee, then this obligation shall become null and void; otherwise to remain in full force and effect.

The failure on the part of the Principal in remedying any defects in such work due to faulty workmanship or incorrect construction or installations or due to faulty materials furnished or used by said Principal shall give Orange County or, subject to the prior approval of the Orange County Division of Building Safety, the person for whom such work is performed a right to action against the Principal and Surety under this obligation; provided, however, that no suit, action or proceeding by reason of any default shall be brought on this after one (1) year from the date of final completion of the work done by the Principal for any such person.

It is mutually agreed and understood between all parties hereby, that if the Surety shall so elect this Bond may be called and discontinued by giving sixty (60) days' notice in writing to the Board of Orange County Commission, Orange County, State of Florida, the Division of Building Safety, Orange County, Florida, and the Principal, and this Bond shall be deemed cancelled at the expiration of said sixty (60) days, the Surety remaining liable for all defaults covered by the Bond, which may have been committed by the Principal up to the date of cancellation under the terms, conditions and provisions of this Bond.

The premium anniversary date of the bond shall be on the 30th day of September of each year, with the expiration date of September 30, 20 _____.

PRINCIPAL

SURETY

ATTORNEY-IN-FACT

Sec. 9-10. - Certificates of competency; bonds. Modified



- (a) Any person who desires to engage in work as a general contractor, builder, electrical contractor, plumbing contractor, specialty contractor, or other regulated trade herein in the county in the areas subject to the jurisdiction of the BCC under this article for the performance of work embraced in any codes adopted by the board of county commissioners, shall, before engaging in such work, secure an appropriate certificate of competency, if one is required. Any persons within a particular class of contracting work shall post a bond in the sum of five thousand dollars (\$5,000.00) payable to the board of county commissioners or the person for whom such work is performed. It may be a cash bond or a bond with a corporate surety authorized to do business in the state, to be approved and filed with the board of county commissioners. The conditions of the bond shall be that if the principal and all agents and employees of the principal shall faithfully abide by and conform to the provisions of this article, together with all ordinances supplementary thereto, now and hereafter adopted, and all rules, regulations and codes adopted by the board of county commissioners, and shall faithfully and properly perform all obligations and undertakings made pursuant to the provisions of this article in the conduct of the business of the principal, then the obligation shall be null and void; otherwise, it shall remain in full force and effect. The bond shall also be subject to the following provisions:
- (1) Any claim for injury under the provisions of this bond shall be made by the county or the person for whom such work is performed; provided, however, that no such action may be brought after the expiration of one (1) year from and after the time when that act or default complained of may have occurred.
 - (2) The total aggregate liability of the surety shall be limited to the payment of five thousand dollars (\$5,000.00).
 - (3) The surety may cancel the bond and be relieved of further liability hereunder by delivering thirty (30) days' written notice to the board of county commissioners; provided, however, such cancellation shall not affect any liability incurred or accrued under the bond prior to the termination of such period.
- (b) The requirement as to the furnishing of a bond is conditioned upon the BCC adopting a code applicable to the class of work to be performed by the principal, and upon the adoption of such a code, the bond, if required, must be given within the time set by the BCC after the adoption of such code.
- (c) Nothing in this article, nor the regulations adopted pursuant to this article, shall prohibit any owner from performing his own work upon his own residence, provided such owner first obtains the necessary building permits and does such work in a manner which complies with all applicable zoning regulations and all regulations adopted hereunder.

(Code 1965, § 6-11; Laws of Fla. ch. 67-1828, § 11; Ord. No. 87-25, § 10, 7-21-87; Ord. No. 2001-26, § 1.A., 12-18-01; Ord. No. 2015-06, 1, 2(A), 6-16-15)

489.131 Applicability.—

(1) This part applies to all contractors, including, but not limited to, those performing work for the state or any county or municipality. Officers of the state or any county or municipality shall determine compliance with this part before awarding any contract for construction, improvement, remodeling, or repair.

(2) The state or any county or municipality shall require that bids submitted for construction, improvement, remodeling, or repair on public projects be accompanied by evidence that the bidder holds an appropriate certificate or registration, unless the work to be performed is exempt under s. [489.103](#).

(3) Nothing in this part limits the power of a municipality or county:

(a) To regulate the quality and character of work performed by contractors through a system of permits, fees, and inspections which is designed to secure compliance with and aid in the implementation of state and local building laws.

(b) To enforce other laws for the protection of the public health and safety.

(c) To collect business taxes, subject to s. [205.065](#), and inspection fees for engaging in contracting or examination fees from persons who are registered with the board pursuant to local examination requirements and issue business tax receipts. However, nothing in this part shall be construed to require general contractors, building contractors, or residential contractors to obtain additional business tax receipts for specialty work when such specialty work is performed by employees of such contractors on projects for which they have substantially full responsibility and such contractors do not hold themselves out to the public as being specialty contractors.

(d) To adopt any system of permits requiring submission to and approval by the municipality or county of plans and specifications for work to be performed by contractors before commencement of the work.

(e) To require one bond for each contractor in an amount not to exceed \$5,000, which bond shall be conditioned only upon compliance with the Florida Building Code adopted pursuant to s. [553.73](#). Any such bond must be equally available to all contractors without regard to the period of time a contractor has been certified or registered and without regard to any financial responsibility requirements. Any such bonds shall be payable to the Florida Homeowners' Construction Recovery Fund and filed in each county or municipality in which a building permit is requested. Bond reciprocity shall be granted statewide. All such bonds shall be included in meeting any financial responsibility requirements imposed by any statute or rule. Any contractor who provides a third party insured warranty policy in connection with a new building or structure for the benefit of the purchaser or owner shall be exempt from the bond requirements under this subsection with respect to such building or structure.