

Surety & Fidelity WEEKLY



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SFAA Provides Guidance on Proposed Affidavit for Individual Sureties

Today, SFAA commented on a notice posted by the Federal Acquisition Regulation (FAR) Council regarding [Standard Form \(SF\) 28](#), the affidavit currently required by the GSA, DoD, and NASA for individuals acting as sureties on federal bonds. Earlier this year, the FAR proposed, [and SFAA supported](#), a rule that would limit the types of acceptable assets individual sureties are allowed to post as acceptable collateral on federal bonds; however, the new form under consideration does not include necessary revisions articulated in the proposed rulemaking limiting the types of assets individual sureties are allowed to pledge. SFAA's recommendations to the FAR Council highlighted that the agencies should wait to update this form until it finalizes its proposed rules limiting the use of speculative assets by individual sureties to guarantee federal obligations. You can find SFAA's full comments [here](#).



AIA Document Updated and Available to Download on SFAA Website

The AIA Document A313-2020 has been updated on the SFAA website and is available to download from the [Surety Bond Form Index](#). The AIA A313-2020 Warranty Bond is an assurance by the contractor and the contractor's surety that the contractor's warranty obligations will be performed and completed in accordance with the terms of the construction contract. The following are some key features of the Bond:

- The Bond sets forth the extent of the Bond's coverage, which is equal to the contractor's warranty obligations set forth in the construction contract.
- The Bond establishes the maximum penal amount that may be due the owner if the contractor fails to fulfill its warranty obligations set forth in the construction contract.

- The Bond specifically does not extend to warranties provided by the contractor's suppliers and manufacturers.
- The term of the bond is set to a default period of two years, but the parties can modify the bond term in this section if a modification is appropriate.

Apply for the 2020 Surety Industry Awards

SFAA and NASBP invite all local surety associations to submit nominations for the 2020 Surety Industry Awards for Excellence in Surety Bond Promotion and Advocacy. These awards honor local surety associations for their achievements in promoting the value of contract surety bonds in construction and for advocating on behalf of the surety industry to owners and legislatures.



Award categories are:

Silver, Gold and Platinum Awards
Advocacy Award
Tiger Trust Award

The deadline for awards submissions is **Friday, March 5, 2021**. Visit the [Surety Awards website](#) for criteria information, details on how to enter, and advice on making your award submission as successful as possible.

Please contact Jenn Coolidge at jcoolidge@surety.org with any questions.



Register for the Virtual Legislative Fly-In with SFAA & NASBP

Please register for the first-ever joint SFAA & NASBP Virtual Legislative Fly-In on March 25, 2021. The SFAA & NASBP Virtual Legislative Fly-In will enable members to engage in policy discussions with U.S.

Congressional offices. Your participation as a surety advocate is critically important to ensure policymakers on Capitol Hill understand the significant role bonds play in advancing public works infrastructure projects. The new Congress will include a large freshman class, so it is imperative for SFAA and NASBP to become acquainted with the newly elected officials. All meetings will be scheduled virtually, and no travel is required to participate. Complete the [registration form](#) now.

Updated Resources Available to Members



The **Law Library** can be found [here](#).

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The Surety & Fidelity Association of America
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