

## 28.102-3 Contract clauses.

(a) Insert a clause substantially the same as the clause at [52.228-15](#), Performance and Payment Bonds-Construction, in *solicitations* and contracts for *construction* that contain a requirement for performance and payment *bonds* if the resultant contract is expected to exceed \$150,000. The *contracting officer* may revise paragraphs (b)(1) and/or (b)(2) of the clause to establish a lower percentage in accordance with [28.102-2\(b\)](#). If the provision at [52.228-1](#) is not included in the *solicitation*, the *contracting officer* must set a period of time for return of executed *bonds*.

(b) Insert the clause at [52.228-13](#), Alternative Payment Protections, in *solicitations* and contracts for *construction*, when the estimated or actual value exceeds \$35,000 but does not exceed \$150,000. Complete the clause by specifying the payment protections selected (see [28.102-1\(b\)\(1\)](#)) and the deadline for submission. The *contracting officer* may revise paragraph (b) of the clause to establish a lower percentage in accordance with [28.102-2\(c\)](#).

**Parent topic:** [28.102 Performance and payment bonds and alternative payment protections for construction contracts.](#)