**Section 605.120 Performance Guaranty**

The successful proposer, at the time of the execution of the contract, shall deposit with the Agency a performance guaranty in a form acceptable to the Agency for the full amount of the contract. The performance guaranty shall be acceptable to the Agency if it is of a type listed in Section 605.90(c). At the contractor's request, the amount of the performance guarantee shall be reevaluated and adjusted to reflect the costs of performing remaining contract obligations, upon the submission of application, the granting of licensing, the completion of construction, and the acceptance of waste for disposal. Guaranty amounts will be forfeited by the contractor if the contractor fails to perform its obligations as specified in the terms of the contract. Any guaranty amounts not forfeited before the first disposal module shall be released by the Agency upon closure of the first disposal module.

(Source: Amended at 37 Ill. Reg. 12414, effective July 19, 2013)