

**APPENDIX E – PROCEDURES FOR COMPUTING PERFORMANCE/WARRANTY
SURETY**

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PROCEDURES FOR COMPUTING PERFORMANCE/WARRANTY SURETY

The Performance/Warranty Surety shall be sufficient to complete all construction items identified by the Engineer on the punch list submitted with the Certificate of Substantial Completion, and to repair infrastructure due to improper workmanship or defective materials during the warranty periods.

Warranty Period

The warranty period is the time period during which the Developer guarantees the work to be free from defective materials or improper workmanship.

The warranty periods for roads dedicated to the LFUCG shall be as follows:

- a. For the base courses, the warranty period shall begin at the time of substantial completion and extend until the application of the final course of asphalt, but in no case shall the warranty period be less than one year.
- b. For the final course of asphalt, the warranty period shall be one year from when the final surface course is applied.

For development projects that involve recording a plat, the warranty period for sanitary sewer facilities shall be three years from the date of plat recording, and the warranty period for stormwater facilities shall be one year from the date of plat recording.

For development projects that do not involve a plat, the warranty period for sanitary sewer facilities shall be three years from the date of substantial completion, and the warranty period for stormwater facilities shall be one year from the date of substantial completion.

Surety Amount

The surety shall be computed in accordance with the procedures described in the Subdivision Regulations.

Punch List Items

The following items include, but are not limited to, the items that shall appear on the punch list if they are not constructed before substantial completion:

- Constructing the final surface course of pavement
- Seeding and mulching areas of disturbed land
- Stabilizing channels and streams with appropriate channel lining
- Stabilizing disturbed areas within detention basins and retention ponds
- Removing sediment control BMPs from detention basins and retention ponds
- Removing sediment from detention basins and retention ponds so that the basin/pond has been restored to its original design storage volume
- Converting a sediment basin to a detention basin or retention pond as shown on the Stormwater Management Plan accepted by the Division of Engineering
- Removing sediment from stormwater manufactured treatment devices
- Constructing sidewalks
- Constructing handicap ramps
- Mortaring pipes in headwalls
- Adjusting manholes
- Cleaning the storm sewer system
- Adding steps, mortaring steps, and grouting lift lugs in manholes
- Repairing or replacing curbs that are damaged by the infrastructure construction. This does not include damage caused by Builders after the date of substantial completion. The builders shall be responsible for repairing curbs that they damage.
- Removing erosion and sediment controls from the site
- Constructing trash racks
- Constructing fences between agricultural land and the project site

The items above shall be completed in accordance with the schedule submitted along with the certificate of substantial completion.

Total Project Cost Estimate

The cost estimate of the total project's public infrastructure shall show the unit cost items and the actual quantities of construction for roads, sanitary sewer facilities, and stormwater facilities. For the purpose of establishing the amount of the surety, the total project cost shall not include such items as site excavation, rock removal, trench rock for the sanitary sewer, turn lanes constructed on state right-of-way or other similar items.

Reduction in Surety

The surety may be reduced as described in the Subdivision Regulations.