

RESOLUTION NO. 09-13498

A RESOLUTION TO REVISE THE DISTRICT'S
WATER/WASTEWATER LINE EXTENSION
POLICY

FACTUAL BACKGROUND AND REASONS FOR ACTION

As part of the District's efforts to improve business processes, gain efficiencies and control costs, it is recommended by staff that the District revise its Water/Wastewater Line Extension Policy ("W/W Policy"). The proposed changes to the policy are part of the continuing strategic effort that began in September 2007. District staff performed an internal analysis, audit and process review for customer service work including Electric Line Extension Policy, Facility Modification Policy and Water/Wastewater Line Extensions.

The Commission approved Resolution 08-13360 on August 11, 2008 adopting revised Electric Line Extension and Facility Modification Policies. The proposed W/W Policy revisions will align the W/W Policy with the District's Electrical Line Extension and Facility Modification Policies, standardize the format, references and terminology and provide detail and clarification. The revised policy will assist customers and staff in managing requests for water/wastewater line extensions and requests to modify, relocate or convert water/wastewater utility services. Additionally, it will offer our customers and staff enhanced ease of use and will provide for timely billing and cost recovery.

The proposed Water/Wastewater Line Extension Policy is attached as Exhibit A. The policy includes new provisions addressing temporary water service, facility oversizing and bonding for uncompleted work.

District staff recommends that it is in the best interest of the District to adopt the above policy changes to better meet customer needs and provide internal efficiencies.

The General Manager of the District concurs with staff's recommendation.

ACTION

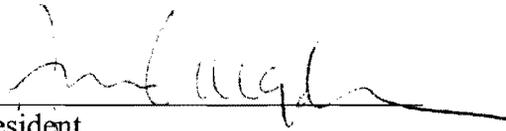
IT IS RESOLVED BY THE COMMISSION OF PUBLIC UTILITY
DISTRICT NO. 1 OF CHELAN COUNTY, WASHINGTON, as follows:

Section 1. The District's Water/Wastewater Line Extension Policy is determined by the Commission to be fair, reasonable, necessary and non-discriminatory and is hereby amended as set forth in Exhibit A, effective immediately.

Section 2. Except for the Facility Modification Policy enacted pursuant to Resolution 08-13360, this resolution supersedes and replaces all prior resolutions related to this policy.

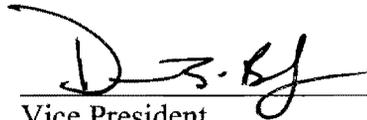
Section 3. The adoption of these changes to the District's policy is exempt from the State Environmental Policy Act (SEPA).

DATED this 5th day of October 2009.

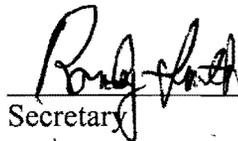


President

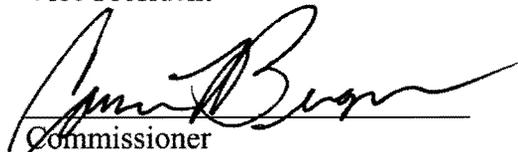
ATTEST:



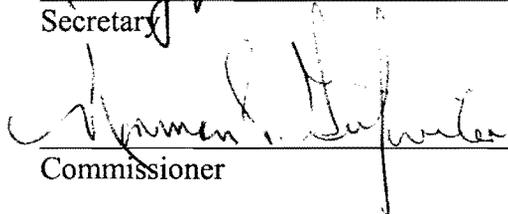
Vice President



Secretary



Commissioner



Commissioner

Seal

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WATER / WASTEWATER LINE EXTENSION POLICY 2

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WATER / WASTEWATER LINE EXTENSION POLICY

1. GENERAL PROVISIONS

The District will provide facilities for the distribution of water and the collection of wastewater within its systems in accordance with approved land use documents, applicable water and wastewater comprehensive plans and policies. However, it will not extend, at District expense, water and/or wastewater facilities to service Line Extensions to an Applicant's property. The financial responsibility for constructing (including but not limited to all costs of design, permitting, property acquisition, and construction) Water and Wastewater System Line Extensions shall be incurred by the Applicant in accordance with this Water/Wastewater Line Extension Policy.

Where the Applicant's property is not adjacent to the District's Water or Wastewater Systems or if the line to the Applicant's property is not adequately sized, as determined by the District, in order to provide the required service to the Applicant, the Applicant shall upgrade Facilities remote from the Applicant's property and/or extend the line to its point(s) of service and pay all costs associated with the Line Extension. Water and/or wastewater Facilities that front the Applicant's property that do not meet current District standards, as determined by the District, shall be upgraded at Applicant's cost to current standards as part of the Applicant's Line Extension.

All Line Extension Applications are subject to engineering and financial feasibility analysis by the District and will be evaluated by District consistent with District business practices to determine if services can be provided technically, efficiently and economically.

2. DEFINITIONS

The following terms wherever used in this Line Extension Policy, Rate Schedules and in any Application or Line Extension Agreement shall have the following meanings and will be supplemented by the definitions in the District's Utility Service Regulations and the District's Design and Construction Standards (In the event of conflict, these definitions will control Water and Wastewater Line Extensions) :

A. Applicant

The person, partnership, firm, corporation, municipal corporation or entity, which is qualified by reason of property ownership, having filed an Application with the District to cause the installation of water or wastewater Line Extension improvements to become part of the District Water System and/or Wastewater System. The term shall also include the Applicant's agents, employees, contractors, and subcontractors. For purposes of notice, the Applicant address shall be the one shown in the Application.

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B. Application

The Application for permission, in a current form approved by the District, to construct a Line Extension to a District Water System or Wastewater System, executed by the Applicant.

C. Contractor

Applicant's qualified Contractor, hired to complete the Work for the Line Extension

D. Contract Plans or Plans

All drawings or Plans and reproductions of drawings and specifications prepared by a Washington State Registered Professional Engineer and made or to be made pertaining to the Work provided for in the Application or to any structure connected therewith.

E. Construction Standards

District requirements as now exist or as hereafter may be amended which shall be followed during construction of the Line Extension.

F. Design Standards

District requirements, as now exist or as hereafter may be amended, which shall be followed during the preparation of Plans and Specifications for the Line Extension.

G. Details or Additional Plans

All Details or Plans prepared and issued by the Engineer subsequent to the signing of the Line Extension Agreement for further explanation or amplification of the Contract documents or for revision of same, all as herein provided.

H. District

Public Utility District No. 1 of Chelan County, Washington.

I. Engineer

The consulting Washington State Registered Professional Engineer acting as agent for the Applicant in the design of the Contract Plans.

J. Equipment

The machinery, accessories, appurtenances, and manufactured articles to be furnished and/or installed under the Contract.

K. Facilities

The pipelines, pump stations, reservoirs, structures, control Equipment, pressure

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reducing stations, related appurtenances and all other related and necessary facilities for the proper function of the District's Water Systems and/or Wastewater Systems.

L. Fees and Charges

Applicant's Fees and Charges for Line Extensions are based on recovering costs by the District and are set forth in the District's Fees and Charges schedule, as now exists or as hereafter amended.

M. Final Acceptance

Written Notice of District's acceptance of the ownership of the Water System or Wastewater System Facilities installed pursuant to the Line Extension Policy following completion of all requirements of this Water/Wastewater Line Extension Policy to the District's satisfaction as determined by the District in its sole discretion.

N. Latecomer Fees

Fees paid by the current Applicant to reimburse the original Applicant for a portion of the costs associated with the original Line Extension construction.

O. Line Extension

A Line Extension is an increase in the size and/or length of the District's existing water mains and/or wastewater lines required to serve an Applicant's property. A Line Extension may include new Facilities or improvements to existing Facilities.

P. Line Extension Agreement

A contract between the Applicant and the District, in a form approved by the District, setting forth the roles and responsibilities of the District, Applicant and Contractor, and the terms and conditions including all costs of the Line Extension process.

Q. Line Extension Checklist

A document listing all obligations that must be fulfilled by the Applicant or Applicant's Contractor prior to Final Acceptance of the Line Extension by the District.

R. Maintenance Bond

A bond in a form approved by the District guaranteeing the replacement of all defective Material and Work discovered within two (2) years. The bond shall further protect the District from any damages or claims, including but not limited to consequential damages or claims, along with attorneys fees and costs necessary for the prosecution of the bond, caused by or arising from a defect in the Material and/or Work discovered during the term of said Warranty Period.

S. Material(s)

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The machinery, manufactured articles, Materials of construction (fabricated or otherwise), and any other classes of Material to be furnished and permanently incorporated into the Work.

T. Or Equal

Any manufactured article, method, or Work which in the sole discretion of the District, is equally desirable or suitable for the purposes intended in District Standard Details as compared with similar articles specifically mentioned herein.

U. Performance Bond

The District approved surety bond form furnished by the Applicant and its surety as a guarantee that the Applicant will execute, furnish, and guarantee the Work and perform all the requirements of the Line Extension Agreement.

V. Regional Water System

The regional water system created by Contract dated November 13, 1998 as subsequently amended, among the City of Wenatchee, the District, and East Wenatchee Water District.

W. Service Area

The land area to which the District is authorized by the Washington State Departments of Health and/or Ecology to furnish water or wastewater service.

X. Specifications

The prescribed directions, requirements, explanations, terms, and provisions pertaining to the various features of Work to be done or manner or method of.

Y. Standard Details

Drawings illustrating and clarifying the District's Design and Construction Standards.

Z. Submittals

Catalog cut sheets of all Materials proposed for use in construction of the Line Extension. District must approve submittals prior to construction commencement.

AA. Warranty Period

Two years following date of Final Acceptance.

BB. Wastewater System

All wastewater service connections, collection lines, manholes, pump stations, force mains and appurtenances, and treatment equipment used, operated, owned, or controlled by the District to facilitate the provision of wastewater services. In some systems, it may also include a septic tank effluent pumping system.

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CC. Water System

All water source and supply facilities, transmission, pipelines, booster pump stations, distribution mains and appurtenances, vehicles and materials storage facilities, all service connections, pump stations, force mains and appurtenances, and treatment equipment used, operated, owned, or controlled by the District to facilitate the provision of water and wastewater services

DD. Work

The Work necessary to manufacture and deliver the machinery, Equipment, and Material and/or furnish all labor, tools, Material, Equipment, construction Equipment, Working Plans, where required and other necessities for the construction or erection of the structures shown and called for in the Plans, Specifications, and Application and the act of constructing or erecting such structures.

3. LINE EXTENSION REQUIREMENTS

All Applications for Line Extensions shall comply with the procedures within sections 3.A. through 3.E.

A. Application

1. Application Form

Application for Line Extension of the District Water or Wastewater System to serve newly developed and/or existing properties shall be made by the Applicant or its agent on the District's approved forms.

Each Application shall be submitted to the District for review and approval along with all applicable Fees and Charges. Upon approval, the Applicant may proceed with the Line Extension design (Plans and Specifications) in accordance with the District's requirements, however such approval shall expire one year from the approval of the Plans and Specifications unless the Applicant has entered into a Line Extension Agreement and is complying with the construction schedule set forth in such agreement. An Application must include the Site Plan and satisfactory evidence and proof of ownership as set forth in Sections 3.A.2 and 3.A.3 below.

2. Site Plan for Application

Each Application shall be accompanied by a site plan, drawn to scale, illustrating the properties to be served and the approximate location of the proposed Work. The District will review the proposal and the layout of the location of all water and wastewater infrastructure needed to serve the area. The District will provide guidance which shall be used during preparation of Plans and Specifications for the Line Extension.

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3. Ownership of Land

Applicant shall provide satisfactory proof of ownership or right to use land impacted by any Line Extension.

4. Permits, Easements and Approvals

All necessary permits, easements, and approvals shall be obtained by the Applicant prior to any construction, at the Applicant's expense. These may include, but are not limited to, permits, easements, and approvals from private property owners or entities (such as railroads), federal or Washington state agencies, counties or, cities. Construction in any public right-of-way shall comply with applicable federal, state, or local construction requirements of the agency(ies) with authority over the right-of-way.

All water and/or wastewater Facilities shall be located on public rights-of-way or dedicated easements in a form approved in advance in writing by the District, providing for but not limited to, perpetual operation, maintenance and service responsibilities. All easement grants shall either be to the District or assignable to the District.

Any and all costs associated with obtaining easements, permits and/or other approvals and/or ongoing easement/permit/approval fees shall be borne by the Applicant. The payment of any ongoing fees may require a recorded agreement, such as a participation contract, on all properties connected to the Line Extension. For example, and not by way of limitation, if a Line Extension crosses U.S. Forest Service land, U.S. Department of Natural Resources, or railroad property, all properties connected to the Line Extension typically share in the annual cost of the easements or permits from these agencies or entity.

B. Administration

1. Latecomer Fees

Future Applicants seeking to connect to a Line Extension subject to Latecomer Fees, shall share the cost of the original construction as set forth herein.

The District will establish the cost per foot of the original Line Extension construction upon Final Acceptance of the original Line Extension. The Applicant shall pay Latecomer Fees to the District based on the footage of original construction utilized by the Applicant's Line Extension.

If an future new service connects to a Latecomer Line Extension, the new service Applicant shall pay to the District the Latecomers Fee for the original Line Extension. The Latecomer fee will be refunded to the Applicant who installed and paid for the original construction. This

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"Latecomer Fee" repayment program will be in force for ten (10) years after Final Acceptance of original construction.

No Latecomer fee refund will be made to an Applicant who has paid for or shared in the cost of the installation of the Line Extension if they have sold their property whether by deed, Contract or by any other method of sale. If the Applicant has sold a portion of the original property, any Latecomer Fees will be pro-rated based on the property still owned by the original Applicant. The purchaser of property from an original Applicant is not eligible for Latecomer Fees.

2. Facility Modifications

All costs for modifications to existing Water System or Wastewater System deemed necessary by the District or other agency (State, County, City, easement holder, permit holder, etc.) as a result of the Applicant's proposed development shall be borne by the Applicant in accordance with the District's Facility Modification Policy.

3. System Development Charge, Meter Fee & Additional Charges

Each service connection requested in the Line Extension will be assessed a system development charge, meter fee and other applicable fees and charges, due in full prior to connection of service. Refer to Fees and Charges, Water Rate Schedules and Wastewater Rate Schedules for a complete list of charges.

4. Temporary Water Service

Where an Applicant's Line Extension construction project would disrupt service to existing District customers for more than four hours, as determined by the District, the Applicant's Line Extension shall include provisions for temporary water service to the affected customers. Design of the temporary water service shall be included in the Applicant's Contract Plans and approved by the District. Applicant shall also be responsible for installation of the required temporary water service. The temporary water service shall be disinfected, flushed, and pass a bacteriological test prior to being placed into use. Final connection to the existing customers shall be performed by the District and paid by the Applicant. Temporary water service maintenance and repairs shall be performed by the District. The Applicant shall reimburse the District actual costs expended for maintenance and repairs, as compiled in writing by the District and delivered to the Applicant, prior to Final Acceptance of the Line Extension.

5. Facility Oversizing

The District may require an Applicant to install Facilities larger than would be required by the District's Design Standards to serve the Applicant's

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Line Extension. The District will reimburse the Applicant for the incremental cost difference due to oversizing, provided the Applicant complies with the prevailing wage requirements set forth in RCW 39.12, and furnishes the District a copy of the U.S. Department of Labor and Industries Affidavit of Wages Paid for the Line Extension.

The District will estimate the incremental cost difference for Materials based on the District's actual procurement costs for the year the Line Extension is constructed.

No incremental cost difference for installation will be allowed where the increase in nominal pipeline diameter is 4-inches or less. Where the incremental pipe diameter increase exceeds 4-inches, the District will calculate incremental costs based on the percentage increase in trench width required to install the larger pipe. The percentage increase in trench width will be based on the limits established in the District's Standard Details.

The District will estimate the incremental cost difference for increased reservoir volume based on the installed cost per gallon for the reservoir structure.

Other incremental costs not identified, herein, will be determined by the District on a case by case basis.

A fixed lump sum of 15% of the incremental Material and labor costs will be included as complete compensation for overhead and profit. The District will pay Washington State sales tax on the total incremental costs as determined by the District at the local rate in effect at the time of construction.

6. Other Costs.

The Applicant shall be responsible for all other costs incurred by the District arising out of the Line Extension.

7. Water Rights

Applicants shall furnish Water Rights in accordance with the District's Water Rights Acquisition Policy.

C. Design

1. General

The design phase of the Line Extension process includes, but is not limited to, preparation of Plans and Specifications, District approval of Plans and Specifications, and, if applicable, approval by the Washington State Departments of Health and/or Ecology.

2. Engineer

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Line Extension Plans and Specifications shall be prepared and stamped by a professional Engineer licensed in the State of Washington. The Engineer hired by Applicant shall be competent in water and wastewater system design and construction and shall have successfully designed and overseen construction of a minimum of three projects of similar size and scope of the proposed Line Extension. Engineer shall furnish qualifications to District upon request prior to commencing design.

3. Location of Line Extension

The Line Extension shall connect to a point designated by the District. The Line Extension shall be extended to the boundaries of the property being served, providing access to all adjacent properties that may require future service. Water lines shall be looped and dead-end mains avoided whenever possible and deemed necessary by the District.

At the District's discretion, the requirement to extend to the boundaries of the property may be waived for extensions to serve a single connection, whereby the front footage results in financial hardship or unreasonable costs as determined by the District. In this situation, the Line Extension shall extend a minimum of 10-feet beyond the service connection point. Easements to the boundaries of the property being served, providing access to all adjacent properties that may require future service, shall be provided by the Applicant prior to Final Acceptance of the Line Extension. Easements shall be prepared for District review and approval using District approved forms. Costs to prepare and execute easements shall be borne by the Applicant.

4. Standards and Specifications

All Line Extensions shall be designed and installed in accordance with the following District requirements, as now exist or as may be hereafter amended:

- a. Standard Details
- b. Design Standards
- c. Construction Standards

5. Approval

Two (2) sets of Plans and Specifications shall be submitted for the District's review and approval prior to commencing construction. Plans and Specifications shall be prepared in accordance with Section 3.C.4.

The District will review and return any comments for correction to the Engineer. Corrected Plans and Specifications shall be returned to the District for additional review. Upon receiving satisfactory Plans and Specifications, the District will approve the Line Extension for construction by signing the Plans. Only Plans signed by the District are allowed for construction and materials submittals. Signed Plans must be used on the

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construction site at all times.

District approval of Plans and Specifications shall expire one year after the approval date if the Applicant has not entered into a Line Extension Agreement and is not complying with the construction schedule set forth therein.

6. Submission to Department of Ecology

District approved Plans for Wastewater Line Extensions shall be submitted to the Washington State Department of Ecology for review and approval. Ecology approval shall be obtained prior to construction. If the Line Extension is part of an Ecology-approved General Sewer Plan, submittal and approval is not required. Refer to WAC 173-240-030(5), as now exists or as may be hereafter amended, for additional details. All Department of Ecology review fees, and any costs necessary to comply with Department of Ecology requirements shall be paid by the Applicant.

7. Submission to Department of Health

District approved Plans for Water Line Extensions requiring a new pressure zone, or a revision to an existing booster pump station or reservoir shall be submitted to the Washington State Department of Health for review and approval. Health approval of District approved Plans shall be obtained prior to construction. All Department of Health review fees, and any costs necessary to comply with Department of Health requirements shall be paid by the Applicant.

8. Regional Water System Approval

Applicants with property located outside the District's Service Area shall obtain approval for service from the Regional Water System. Applicant shall pay all costs for the Regional Water System to update its comprehensive water plan and obtain approval from the Washington State Department of Health in order to serve the Applicant's property.

9. Fire District Approval

Water Line Extensions shall be designed to ensure the placement of fire hydrants in accordance with the requirements of the respective Fire District. The Fire District shall provide written confirmation that the Plans are approved for construction prior to the District approving the Plans for construction.

10. Other Approvals

Any other Federal, state or local approvals applicable to the Line Extension shall be obtained by the Applicant and all costs associated with such approvals shall be borne by the Applicant.

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D. Construction

1. Procedures

Construction procedures shall be in full accordance with the latest edition of the following documents, in the order of precedence listed:

- a. District Water and Wastewater Standard Details
- b. District Construction Standards

2. Contractor

All Line Extensions shall be installed by a Washington State licensed and bonded contractor. Contractor shall have successfully completed a minimum of three (3) projects of similar size and scope of the proposed Line Extension. The District reserves the right to review and approve the Applicant's Contractor.

3. Pre-Construction Conference

The Applicant shall schedule a pre-construction conference with the District after the construction Plans and Specifications have been approved. At the pre-construction conference, the District will present and cover in detail the Line Extension Agreement and Line Extension Checklist. Additionally, major elements of the Line Extension construction will be discussed. The Applicant and Applicant's Contractor shall sign the Line Extension Agreement and Checklist prior to beginning construction.

The Applicant shall present the District with four hard copy sets of final signed Plans for the District's use during construction.

4. Material and Equipment Submittals

In accordance with the District's Standards Details, the Applicant or Contractor shall submit a list of all Materials and Equipment to be used on the Line Extension project. The list shall include manufacturer names, part numbers, sizes, types and grades of all items to be permanently incorporated into the Work. The District may reject certain items and will provide approval, disapproval, and/or comment in writing. Construction shall not begin prior to approval of all Material and Equipment Submittals.

5. Changes to Construction Plans and Specifications

The Work shall be constructed in accordance with the District approved Contract Plans. No deviations will be allowed without request for change and approval from the District. The District reserves the right to order changes in accordance with the District's Standard Details and Design and Construction Standards in the event of changed conditions or circumstances discovered during construction.

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6. Inspection

No Work will be accepted without an onsite District inspection. The Applicant shall provide access to the District and its representatives at all times for the purpose of inspection and testing. The District may refuse acceptance of any Work installed without inspection.

The Contractor shall schedule inspection at least two full working days before construction activities begin. If there are breaks in construction, there must be two working days notice before Work commences again. The District will reject all defective Material, Equipment and Work that is not conducted in accordance with procedures set forth in Section 3.D.1.

If any Work should be backfilled without approval by the District, it shall be uncovered for inspection at the Applicant's expense.

Where Work is performed other than during the District's established 40-hour work week, the Applicant shall pay all additional costs incurred by the District for the inspection. Additional costs shall be paid in full prior to Final Acceptance of the Line Extension.

Applicable local municipal, state, or federal requirements may require inspection and testing in addition to District inspection and testing. The Applicant shall provide the District a minimum of two working days notice of scheduled inspections and tests. Any required certificates of inspection shall be secured by the Applicant at the Applicant's cost, with one hard copy furnished to the District.

7. Line Extension Fees

The Applicant shall pay all applicable Line Extension Fees, as stated herein and within the Fees and Charges Schedule, prior to beginning construction. The Line Extension Checklist provided to the Applicant at the Pre-Construction Conference will have all fees listed in detail. Additionally, these fees will be incorporated into the Line Extension Agreement between the Applicant and the District.

8. Indemnification and Liability

The Applicant shall indemnify, defend, pay on behalf of, and save the District harmless from any and all claims or liability for damages arising from acts done or omissions in performance of the Work by Applicant and/or Applicant's contractor to the extent that such claim or liability does not arise from the negligence of the District. Applicant shall require its Contractor to provide evidence of insurance for the protection of Applicant and District in connection with the Work to be performed.

Nothing in this policy shall be construed as imposing any liability on the District for acts of the Applicant or Contractor. Nor does this policy or any other statement obligate the District to complete a Line Extension or

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attendant facilities.

E. Acceptance

1. Pressure Testing

All water and wastewater piping and appurtenances shall be pressure tested in accordance with the District's Standard Details and Construction Standards. Water for initial flushing, line filling, pressure testing, and disinfection shall be provided from a District water source when available. The Line Extension shall be separated from the District's Water System by cross connection control methods approved by the District.

2. Disinfection and Flushing of Water Mains

Disinfection shall be provided in accordance with the District's Standard Details and Construction Standards. Disinfected lines shall be flushed with water from the District's Water System. The Line Extension shall be separated from the District's water system by cross connection control methods approved by the District. Following flushing, the District will collect water samples and submit for bacteriological testing to a Washington State certified laboratory. If test results are not satisfactory, lines shall again be disinfected and flushed by the Contractor and tested by the District until satisfactory results are obtained. All flushed water shall be disposed of in accordance with applicable Washington Department of Ecology rules and regulations.

3. Final Connection to District Systems

Following pressure testing and receipt of satisfactory bacteriological testing results (water extensions only), final connections to the District's existing Water and Wastewater systems shall be performed in accordance with the District's Construction Standards.

4. Maintenance Bond

The Applicant, or its Contractor, shall obtain a Maintenance Bond based on the value of the Work. The bond shall be effective for a two year period, beginning after written Final Acceptance of the Work by the District. The maintenance bond shall utilize the District's approved form and be furnished to the District prior to Final Acceptance of the Line Extension.

5. As-Built Drawings and O&M Manuals

The original Line Extension Contract Plans shall be revised to illustrate all changes and modifications required during construction. Any deviations from originally approved Contract Plans shall be recorded with one (1) set of reproducible As-Built mylars, sheet size as identified in District Design Standards, and electronic file in AutoCAD release version as identified by the District. As-built Plans shall include, the locations of all District

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facilities, including but not limited to lines, valves, hydrants, manholes, wyes, clean-outs, and fittings giving sizes and types of each and 5-foot or less contour line at county datum. The drawings shall show survey accurate dimensions of lines from property boundaries and established surveyed control points. The Applicant shall make every effort in acquiring all necessary information for accurate As-Built conditions.

Two (2) hard copies of Operations & Maintenance Manuals (where applicable) shall be provided, upon request, to the District.

6. Easements and Bill of Sale

The Applicant shall acquire and complete all necessary Easements and a Bill of Sale transferring the ownership of all installed Line Extension facilities to the District. In the case of a new plat, the easements shall be shown and recorded as part of the plat. Special facilities such as pump stations and reservoirs shall be constructed on a separate legal tract or parcel of land and dedicated to the District.

7. Final Acceptance

The Applicant shall notify the District requesting a final inspection for approval of the Line Extension project. If the Line Extension has been installed according to the approved Plans and Specifications, pressure and bacteriological tests are passed (in the case of water system extensions), and after all of the Line Extension Policy conditions are fully satisfied, as shown by District completion of a Line Extension Checklist, the District will prepare and date a letter of Final Acceptance of the Line Extension. The Warranty Period will begin after Final Acceptance. The acceptance of the Contract Work shall not prevent the District from making claim against the Applicant for any defective Work if same is discovered within the period of the Maintenance Bond.

8. Performance Bonding for Uncompleted Work

Service will be provided prior to completion of Line Extension requirements only for constructed items that can not be completed as a result of inclement weather, provided the Applicant enters into an agreement with the District and furnishes the District a Performance Bond for the uncompleted Work. The following constructed items must be completed, at a minimum, prior to the District accepting a Performance Bond for uncompleted Work:

- a. All water and wastewater structures, piping, and appurtenances shall be installed and all testing and inspection requirements shall be completed. The District shall be provided unrestricted access to the Work at all times.
- b. All surface items (manholes, valve cans, etc.) installed in areas subject to vehicle traffic shall be fully operational, installed to final

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grade, and sealed in place with asphalt paving or concrete and inspected in accordance with District standards.

The value of the Performance Bond shall be 150 percent of the Applicant's estimated costs to complete the Work, or the actual cost for the District to perform the uncompleted Work, as estimated by the District, whichever is greater. The form used for the Performance Bond and Surety must be approved by the District. Costs to obtain the Performance Bond shall be borne by the Applicant. The District must receive the Performance Bond prior to executing Applications for service from uncompleted Line Extensions.

The Applicant shall enter into an agreement with the District to complete the uncompleted Work, within a time period determined by the District. In no circumstances shall the time period exceed six months. The Applicant shall pay the District's actual costs to prepare and administer the agreement. These costs must be paid prior to the District accepting a Performance Bond for uncompleted Line Extensions

9. Water Availability

No services connections will be allowed until all above listed items have been received by the District and, if applicable, Applicant has complied with the Water Rights Acquisition Policy. When all these conditions, in the opinion of the District as herein set forth, are met, the District will then issue water availability for service from the new Line Extension.