

ARTICLE 7

RULES APPLICABLE TO DEVELOPERS AND SUBDIVIDERS

The Total Project Cost for design and construction of all distribution mains and other necessary facilities required in subdivisions, or to service a remote parcel of land shall be paid for by the developer or sub-divider as set forth in this Article 7. Actual procurement of materials and construction of all facilities shall be performed by the District or its contractor. In some cases the District may require larger size mains to be installed than are actually required to serve a particular subdivision or remote parcel. In such event, the District will bear the difference in cost between the size required and the larger size of pipe, valve, fittings, and other appurtenances as described in Article 6.09. Such difference in cost will be determined by the District.

7.01 APPLICATION PROCEDURE

7.01.01 **Submission of Plans and Fire Requirements:** The sub-divider or developer shall furnish the District with two (2) copies each (except as noted) of the following:

Street Plan
Grading Plan
Tract/Parcel Map
Plot Plan
Sewer Plan
Storm Drainage Plan

Fire Department Requirements – One copy of the plot plan, stamped by the Fire Department, showing fire hydrant locations and fire flow requirements.

Service Locations and Sizes – The developer shall determine and indicate on one copy of the tract map the sizing of all service connections, subject to District approval per Article 6.05.01.

Size of Development – The developer shall provide the District with documentation of the gross (blue border) acreage of the property being developed.

7.01.02 **Master Plan:** In cases where the total area to be developed covers more than one tract or requires extensive study, as determined by the District, a water system master plan of the proposed development shall be performed by the District and paid for by the developer.

7.01.03 **Request for Statement of Water Service:** Upon written request by the applicant to the District, the District will advise the Department of Real Estate and/or the County Engineer by letter if water can be supplied to the proposed subdivision. The form of the letter is substantially in the form set forth in Appendices I.

7.02 COSTS AND CHARGES

The developer shall be assessed the following costs and charges, which are payable according to the payment schedule set forth in Article 7.04.

- 7.02.01 **Water System Design and Plan Check Deposit:** The developer of any project shall place with the District, prior to the District designing any water plans for the developer's project, a non-refundable deposit in accordance with Sections 7.04.01.01, 7.04.02.01, 7.04.03.01 or 7.05 of these Rules and Regulations. The Water System Design and Plan Check Deposit shall be computed as set forth in Appendix B.
- 7.02.02 **Construction Costs:** These costs include the total direct cost of labor and materials for mains, valves, fire hydrants, service connections, meters, and other appurtenances, less the difference in cost due to any District-required oversizing.
- 7.02.03 **District Administrative Charge:** This charge covers the District's costs of engineering, plan checking, inspection, and administrative burden and is computed as set forth in Appendix B.
- 7.02.04 **Capacity Charges:** This charge shall be paid by the developer as set forth in Article 6.06.
- 7.02.05 **Front Footage Charge:** This charge may be collected based on front footage at the parcel served on the street which contains the water main that will supply water to the parcel. Said Front Footage Charge shall be determined by the District, subject to revision on a case-by-case basis as set forth in Appendix B.
- 7.02.06 **Existing Fire Hydrant Fees:** The District may impose a fee to help defray the cost of the prior installation of any existing fire hydrant within three hundred (300) feet of the property served.
- 7.02.07 **GIS Update Fees for Developer-Funded Projects:** This charge will be collected to cover the costs of outside services required for updating the District's GIS system following completion of projects involving developer-funded system improvements/modifications as set forth in Appendix B.

7.03 **PROCESSING SEQUENCE**

The flow chart contained herein as Appendix E sets forth the sequence associated with the processing of developer-submitted plans, payment schedules, bidding procedures, and the obtaining of necessary permits prior to start of construction. This flow chart is included for the convenience of the developer and, if a conflict exists between data contained in Appendix E and the narrative Rules and Regulations, the narrative Rules and Regulations will apply.

7.04 **PAYMENT SCHEDULE**

As shown in Appendix E, Processing Sequence, different payment schedules are required for Residential, Public Agency, and Industrial/Commercial developments.

- 7.04.01 **Residential Developments:** The developer of any parcel shall pay the Total Project Cost, as defined in Article 3, in four (4) installments. After

final construction is complete, the Total Project Cost will be reconciled and the developer will be invoiced for any excess cost over and above the four installments paid or refunded any excess moneys remaining.

7.04.01.01 The first installment shall consist of a non-refundable Water System Design and Plan Check Deposit as set forth in Appendix B, Item 18, and must be paid prior to the District commencing design work for the water system. This deposit shall be credited towards the District Administrative Charge as set forth in Appendix B, required as part of the developer's second installment.

7.04.01.02 The second installment shall be paid after the water system improvement plans have been approved by the City/County Engineer and shall consist of the following items:

- a) District Administrative Charge (less prepaid Water System Design and Plan Check Deposit received in the first installment) (See Articles 7.02.01 & 7.02.03)
- b) Capacity Charge (See Articles 7.02.04 and 6.06)
- c) Contributions For Any Existing Facilities (See Articles 7.02.05, 7.02.06, & 6.07)
- d) Cost of Long Lead Time Materials (i.e., special orders such as tapping sleeves, regulating valves, meters, etc.)
- e) Cost of GIS Update for Developer-Funded Projects (See Appendix B)

7.04.01.03 The third installment shall be paid after the District has selected the successful bidder for all materials, pipe, etc. This third installment shall be an amount equal to the actual cost of all materials, plus a ten percent (10%) contingency.

7.04.01.04 The fourth installment shall be paid after the District has selected the successful bidder for labor. This fourth installment shall be an amount equal to the actual bid cost of all labor, plus a ten percent (10%) contingency.

7.04.02 **Industrial/Commercial Developments:** The developer of any parcel shall pay the entire project cost in two (2) installments.

7.04.02.01 The first installment shall consist of a non-refundable Water System Design and Plan Check Deposit, as set forth in Appendix B, and must be paid prior to the District commencing design work for the water system. This deposit shall be credited towards the District Administrative Charge required as part of the developer's second installment as set forth in Appendix B.

7.04.02.02 The second installment shall be an amount equal to the estimated Total Project Cost of the water system (less the first installment) required for the project and shall be paid following completion of plans by the District and, upon approval of other agencies having jurisdiction over the project, prior to the District soliciting any bids or quotes for any materials or labor for the project.

7.04.03 **Public Agencies:** A public agency shall pay the entire estimated project cost in two (2) installments. The public agency shall issue the District a purchase order in the amount of those costs and will be invoiced for each installment, when applicable, and given thirty (30) days from the date of the invoice in which to pay the amount due in full.

7.04.03.01 The first installment shall consist of a non-refundable Water System Design and Plan Check Deposit, as set forth in Appendix B, and must be paid prior to the District commencing design work for the water system. This deposit shall be credited towards the District Administrative Charge required as part of the developer's second installment as set forth in Appendix B.

7.04.03.02 The second installment shall consist of the full estimated cost of the water system required for the project and shall be paid following completion of plans by the District and, upon approval of other agencies having jurisdiction over the project, prior to the District soliciting any bids or quotes for any materials or labor for the project.

7.05 **WATER MAINS OUTSIDE A SUBDIVISION**

Construction drawings for mains outside the boundaries of the subdivision will be prepared by the District, and the costs of such drawings and mains shall be borne and paid by the developer. Where it is deemed advisable by the District for a line to pass over private property, other than dedicated right-of-way, the District will expend all reasonable effort to assist the developer in obtaining such rights-of-way. All costs incidental to obtaining such rights-of-way shall be borne by the developer.

7.06 **MAINLINE EXTENSION**

See Article 6.07

7.07 **CONTRIBUTIONS FOR EXISTING FACILITIES**

See Articles 6.08, 7.02.05, & 7.02.06

7.08 **PROCUREMENT OF MATERIALS**

It is the District's policy that the District procure all the necessary materials for the water system at the developer's expense. The District shall use a list of select suppliers that have demonstrated adherence to the District's standard material specifications.

7.09 SELECTION OF CONTRACTOR FOR INSTALLATION

It is the District's policy to arrange and contract for all labor necessary to install any water facilities. The District shall use a select list of labor contractors who have demonstrated knowledge of and adherence to the District's standard labor specifications. The District reserves the right to have any labor performed by force account by any contractor selected by the District.

7.10 SCHEDULING OF WATER SYSTEM INSTALLATION

The developer is required to coordinate all installation of the various utilities so that the storm drain and sewer are constructed prior to the water main installation. The curb and gutter must be completed prior to the District issuing a Notice to Proceed to the water system installation contractor. All remaining utilities must be scheduled for installation after the District has completed and accepted the water system.

7.11 MAINLINE OVERSIZING

See Article 6.09

7.12 EASEMENTS

When required, a developer or applicant for water service shall provide the District with any necessary easements required for District facilities at no cost, in a form acceptable to the District, in order to accomplish or complete water service for an applicant. (See Articles 6.07.02 & 6.07.03)

7.13 DISTRICT ACCEPTANCE OF FACILITIES

All mains, fire hydrants, services, or other appurtenances connected to the District's distribution system shall become the property of the District upon acceptance of the facility for operation, maintenance, and repair by the District.

7.14 PROVISION OF SERVICE

The District shall not be obligated to provide water service to any applicant for water service until such time as all fees, charges, and past-due assessments owing to the District and associated with the parcel, for which water service is being sought, have been paid in full, or unless payment arrangements satisfactory to the District are made.

- END OF ARTICLE 7-