

5. BONDS AND INSPECTION

5.01 GENERAL

Upon District Board of Commissioners approval of plans, but before construction can commence, the following items must be complied with:

- 5.01.1** Bond (cash or surety), in the District's favor, must be posted in the amount of 110 percent of the Developer's Engineer's (Engineer of Record) estimate of cost of construction of the paving and drainage works. (Subject to approval of the cost estimate by the District Secretary/Manager.)
- 5.01.2** All easements, deed restrictions, maintenance agreements and deeds as required by the Board shall be presented to the District Secretary/Manager and Attorney for approval before recordation. All costs of recording the applicable instrument will be borne by the developer.
- 5.01.3** Upon compliance with the conditions required by the Board for approval, and receipt of approved plans from the District Engineer, the District Secretary/Manager will mark the plans "Approved" and sign same, and distribute the approved plans to the governmental agency involved, the developer, and the District files.
- 5.01.4** The District's Bond Form is the only form approved for use, and it shall be a recorded instrument. Release or reduction from the recorded instrument shall be the responsibility of the applicant.
- 5.01.5** Bonds shall be provided by the principals of developments only. Contractor or Sub-Contractor bonds are not acceptable.

5.02 INSPECTION

When construction is in progress, the District's inspector will inspect the installation of drainage works, according to an inspection schedule

established by the Board of Commissioners. Inspection must be made by District personnel of all underground storm drain facilities before backfilling; call 954-432-5110 for an inspection appointment a minimum of twenty-four (24) hours in advance. All costs of periodic inspections of construction by the District shall be borne by the Developer.

5.03 SEPARATE BOND FOR EXCAVATION

Swales, lake banks, slopes, canals, and other excavations shall be bonded separately from other drainage improvements and will be held by the District until successful completion. The amount of this separate bond will be determined by the District Board of Commissioners and by recommendation of the District Secretary/Manager.

5.04 RECORD DRAWING

Certified "As-Built" plans from the Engineer of record will be required before release of performance bonds.

5.05 BOND RELEASE

Subject to the provisions stated herein, upon successful completion of construction and acceptance of "As-Built", the amount of the performance bond as determined by the District Board may be reduced. The balance of the bond shall remain in full force and effect for the minimum of an additional twelve (12) months after final inspection and approval, unless supplemented by a new bond form in the required amounts and as approved by the District Secretary/Manager. The procedure for reduction and/or release of bonds shall include the following:

5.05.1 At least three (3) weeks prior to the Meeting of the Board of Commissioners the request for a reduction or release of bond is to be considered by the District Board of Commissioners, the developer shall provide to the District's Secretary/Manager, a current list of the names and addresses of all property owners owning property within the development for which the bond is

requested to be either reduced or released.

- 5.05.2** Upon receipt of the list of property owners, the District Secretary/Manager shall mail by certified mail, return receipt requested, notification to all property owners in substantially the following form:

The developer of (name of development) has requested a (reduction) (release) of the developments construction performance bond in the amount of \$_____ which is being held by the Central Broward Water Control District to assure completion of construction of paving and drainage improvement within (name of development) of which the District has been advised you have acquired a part of. This bond in the amount of \$_____ will be considered for (reduction) (release) at the District's Board of Commissioners Meeting scheduled for the _____ day of _____, 2____ @ __ PM at 8020 Stirling Road (Davie), Hollywood, Florida 33024. If you have any questions regarding the reduction or release of this bond you may contact the District's Secretary/Manager at 954-432-5110 or present your comments to the District Board of Commissioners at the District's Meeting.