

# FREDERICK COUNTY, VIRGINIA



## **MONETARY GUARANTY PROCEDURE PACKAGE FREDERICK COUNTY, VIRGINIA**

**Department of Planning and Development  
107 North Kent Street, Suite 202  
Winchester, Virginia 22601  
Phone: (540) 665-5651 – Fax: (540) 665-6395**

Website: [www.fcva.us/departments/planning-development](http://www.fcva.us/departments/planning-development)

Revised 03/2018

# FREDERICK COUNTY MONETARY GUARANTY PROCEDURE PACKAGE



*Various Land Development processes within Frederick County require the establishment of a monetary guaranty. This information package outlines the monetary guaranty expectations and requirements. All monetary guaranties must be processed through the “Department of Planning and Development” and will be provided to the appropriate department for their review. On May 1, 2008, Bond Management Fees became effective. These fees were approved by the Board of Supervisors at their April 23, 2008 meeting.*

This package contains the following items:

Bond Management Fees	Irrevocable Letter of Credit
Monetary Guaranty Estimate Worksheet	Performance Bond

## **Bond Management Fees**

These fees are required to be paid when monetary guaranties are submitted for establishment, reduction, release and replacement. The fee for each type of request is as follows:

Establishment of Bond	\$500.00
Reduction / Release	\$300.00
Replacement of Bond	\$500.00

If the monetary guaranty is less than \$10,000.00 no bond management fee is required. If the monetary guaranty is \$10,000.00 or larger, then the above fees will apply.

The Bond Management Fee will need to be paid by a separate check (certified, cashier's or company) and should not be included in the monetary guaranty (letter of credit, performance bond or cash bond).

## **Establishing a Monetary Guaranty**

### ***General Requirements –***

Monetary guaranties may be required for erosion and sediment controls, storm water management facilities, site improvements, and items specifically proffered for individual site plans and subdivisions as identified on the approved plan and must be guaranteed prior to approval of subdivision plats and/or the issuance of a certificate of occupancy.

The applicant will need to submit a \$500.00 bond management fee to establish to the Planning Department along with its monetary guaranty. If the monetary guaranty is for land disturbance, a receipt will be provided to the Applicant to provide to the Public Works Department along with their monetary guaranty. Public Works will then submit the monetary guaranty to the Planning Department for processing.

### ***Monetary Guaranty Estimate Worksheet/Erosion & Sediment Control Measures Guaranty Estimate Form***

Performance Bonds will require that a Monetary Guaranty Estimate Worksheet be completed and returned to the Planning Department for review. Additionally, Erosion and Sediment Control Measure Bonds will also require that the Erosion and Sediment Control Measures Guaranty Estimate Form be completed and submitted to the Public Works Department for review. These worksheets will need to be completed with a 25 percent contingency included and be signed and sealed by a licensed professional engineer. If either worksheet is submitted without an engineer's seal, it will be returned. The County will review the Guaranty Estimate Worksheets to make sure they are complete. If additional information is required, the County will notify the Applicant/Developer that additional information is required in order to process the guaranty request. After the worksheets have been completed and the guaranty amount established, the County will provide written notification to the Applicant/Developer regarding the amount required for the monetary guaranty.

### ***Monetary Guaranty Documents –***

The County accepts three types of monetary guaranty documents: Letter of Credit, Performance Bond, and cash. The required format for each of these options is attached.

**Letter of Credit – The proper and acceptable Letter of Credit format is Option A. The attached language should be copied onto the lending institution's official letterhead. Deviations from this format will not be accepted.** Particulars such as project name, address, and parcel identification number should be included. The County will not accept a Letter of Credit which has been hand written. Pending the project size in terms of monetary requirements, the lending institution's credit worthiness will be considered for each project on a case by case basis.

**Performance Bonds** – the proper and acceptable Performance Bond format and instructions are attached as Option B. Deviations from this format will not be accepted. On the signature page of the Performance Bond the name and address of the Principal and the Surety must be completed. Particulars such as project name, address, and parcel identification number should be included. The County will not accept a Performance Bond which has been hand written.

**Cash** - If the cash monetary guaranty is selected, it should be noted that monetary guaranty amounts over \$10,000.00 may require a delay in processing development approvals until such time as the check clears the account. A Certified or Cashier's check may expedite the approval process.

**ACH/Wire Transfers** - Please contact the Frederick County Treasurer's Office in advance for the information required prior to sending any transfers. Failure to do so may result in additional delays.

**Period of Monetary Guaranties** - All monetary guaranties held by the County will be required to have automatic renewal provisions placed on them. The provisions will stipulate that the monetary guaranty (letters of credit and performance bonds) *“shall remain in full force and effect for a minimum of one (1) year from the date hereof and shall be automatically extended for additional terms of six (6) months from the present or future expiration dates, unless sixty (60) days prior to such date or dates, the bank or financial institution issuing the instrument, notifies the County in writing by certified mail, return receipt requested, that they elect not to renew the instrument for such additional period”*.

During the last thirty (30) days while the monetary guaranty is in force and after notice of termination has been given, the Applicant/Developer will be contacted by the County that it is their responsibility to maintain the monetary guaranty as required until all items have been completed. If the Applicant/Developer fails to provide an acceptable substitute monetary guaranty or deposit in escrow, the Subdivision Administrator shall undertake the necessary actions to enforce the monetary guaranty.

No monetary guaranties will be accepted by the County which has any handwritten changes. The Applicant/Developer will be required to provide a new document.

The County reserves the right to evaluate and accept guaranties from reputable bonding companies. The monetary guaranty which is submitted to the County is required to provide some identifying factor (i.e. Parcel Identification Number, Street Address, Development Name & Section).

Any monetary guaranties which are in the custody of Frederick County that fall below the minimum standards will be required to be replaced with an acceptable instrument. Please refer to Option A – Letter of Credit or Option B – Performance Bond in the Monetary Guaranty Package.

### **Monetary Guaranty Reduction Request**

If an Applicant/Developer wishes to have the monetary guaranty for their project reduced, they need to submit in writing to the: ***“Zoning and Subdivision Administrator, Frederick County Planning Department, 107 North Kent Street, Suite 202, Winchester, VA 22601”***, a request to have their monetary guaranty reduced, along with a check in the amount of \$300.00 to cover the bond management fee if the monetary guaranty is over \$10,000.00. If the monetary guaranty is under \$10,000.00 all that is required to begin the process is a written request to have the monetary guaranty reduced. This request shall include the Project Name and Letter of Credit Number, Performance Bond Number or Check Number which the Applicant/Developer is requesting be reduced.

This request must be reviewed by both the Planning Department and the Public Works Department and will be processed against the most current approved plan. The County will conduct a site inspection to verify that the requested items have been completed and are in an acceptable stable condition.

Once the review is complete, the Applicant/Developer will be contacted in writing stating whether the request has been approved or denied.

### **Monetary Guaranty Cancellation Request**

If an Applicant/Developer wishes to have the monetary guaranty for their project cancelled, they need to submit in writing to the: ***“Zoning and Subdivision Administrator, Frederick County Planning Department, 107 North Kent Street, Suite 202, Winchester, VA 22601”***, a request to have their monetary guaranty cancelled, along with a check in the amount of \$300.00 to cover the bond management fee if the monetary guaranty is over \$10,000.00. If the monetary guaranty is under \$10,000.00 all that is required is a written request to have the monetary guaranty cancelled. This request shall include the Project Name and Letter of Credit Number, Performance Bond Number or Check Number which the Applicant/Developer is requesting be cancelled.

This request must be reviewed by both the Planning Department and the Public Works Department and will be processed against the most current approved plan. The County will conduct a site inspection to verify that the requested items have been completed and are in an acceptable stable condition. See the attached VSMP Termination Checklist on Page 7 or the link listed below prior to submitting the cancellation request.

<http://www.fcva.us/Home/ShowDocument?id=12384>

Once the review is complete, the Applicant/Developer will be contacted in writing stating whether the request has been approved or denied. If the request has been denied, once the issue has been resolved the Applicant/Developer will be required to provide the applicable bond management fee of \$300.00 to re-inspect the site.

**Please be advised that it is not the responsibility of Frederick County to release any monetary guaranty without a written request from the Applicant/Developer.**

### **Replacement of Monetary Guaranties**

When the Applicant/Developer wants to replace a monetary guaranty with another monetary guaranty for the same amount (swapping monetary guaranties), a check in the amount of \$500.00 will need to be submitted to cover the bond management fee, along with the new monetary guaranty document.

### **Annual Evaluation**

For monetary guaranties which have been held by the County for over 18 months, an annual evaluation of the project will be implemented. It is during this evaluation that the County will review site development progress and outstanding improvements to ascertain if the monetary guaranty amount is adequate.

## Frederick County Land Disturbance/Stormwater Permit Termination Checklist

- Permit Termination Requirements Met:
  1. Necessary permanent controls measures included in the SWPPP for the site are in place and functioning effectively and final stabilization has been achieved for all portions of the site for which the operator is responsible;
  2. Another operator has assumed control over all areas of the site that have not been fully stabilized and obtained coverage for ongoing discharge;
  3. Coverage under an alternate VPDES or state permit has been obtained; or
  4. For residential construction only, temporary soil stabilization has been completed and the residence has been transferred to the homeowner.
  
- Submit DEQ Notice of Termination form to Public Works.  
<http://www.fcva.us/departments/public-works/stormwater-program-information>
  
- Submit construction record drawings(s), or as-builts, for permanent stormwater management facilities (if applicable) including all conveyance system components. As-built information shall include:
  1. A copy of the applicant's inspection log book. The log should document all aspects of the construction of the facility to insure compliance with the approved plan and should include:
    - i. Compaction tests for all embankments.
    - ii. Inspection logs related to the of the removal of unsuitable material under and adjacent to the embankment foundation, construction of the cut off trench and other seepage control measures, compaction around the barrel, riser footing structure.
    - iii. As-built shop drawings for all pre-cast concrete control structures and/or other manufactured water quality devices.
    - iv. Verification of location, dimensions, spacing and material of any anti-seep collars, concrete cradles or other seepage control devices.
    - v. Logs related to any sinkhole remediation efforts.
    - vi. Certification records for all bioretention media
  2. A red-line revision of the approved plans and computations including:
    - i. A red check mark made beside design values where they agree with constructed values
    - ii. For changed values, "line out" design value and enter actual value in red
    - iii. Elevations to the nearest 0.1-foot
    - iv. A stage-storage summary table comparing design values to actual values for each facility with a storage volume.
    - v. Details for conveyance systems including pipe sizes, slopes, inverts, etc.
    - vi. Location of any sinkholes identified during construction.
    - vii. Signature and seal of a registered Virginia professional.
  3. Engineer's certification statement (see County website)
  
- Record the BMP Maintenance Agreement and any BMP Conservation Easements (if needed)
  
- VSMP Permit Maintenance Fees Due (if applicable)
  
- Schedule a Final Inspection with Public Works
  
- Submit a request in writing to the Planning and Development Department requesting the release of the bond. Also, if the bond amount was more than \$10,000 a check for \$300 is required along with request.

# **MONETARY GUARANTY PACKAGE**

## **BOND MANAGEMENT FEES**





**FREDERICK COUNTY  
DEVELOPMENT REVIEW FEES**

Adopted April 23, 2008 – Effective May 1, 2008, Revised 2/24/2010, 4/28/2010, 5/2011, 1/25/2012, 3/01/2018

**COMPREHENSIVE POLICY PLAN**

\$ 3,000 non-refundable

**REZONING**

\$ 1,000 – Proffer amendments not requiring a public hearing  
 \$ 5,000 base + \$100/acre – 2 acres or less  
 \$10,000 base + \$100/acre more than 2, less than 150  
 \$10,000 base + \$100/acre first 150 + \$50/acre over 150 acres

**SUBDIVISION**

**Non-Residential** \$1,000 base  
 Design Plan \$ 200/lot  
 Plat \$ 100/lot

**Residential (RP, R4, R5)**

Design Plan \$2,500/base \$100/lot  
 Plat \$ 200/lot to 50 lots  
 \$ 100/lot over 50 lots

**Rural Areas (RA)**

Sketch (Design) \$2,500 base \$200/acre  
 Plat \$ 200/lot

**Rural Areas (RA)**

**Minor** – 3 lots or less \$ 200/lot  
**Lot Consolidation** \$ 200/lot  
**Boundary Line Adj.** \$ 200/lot

**VARIANCE** \$ 400

**BZA APPEAL** \$ 250

**ZONING CERTIFICATION LETTER** \$ 250

**ZONING DETERMINATION LETTER** \$ 100

**SUBDIVISION ORDINANCE**

**EXCEPTION** \$ 500

**MASTER DEVELOPMENT PLAN**

\$ 3,000 base + \$100/acre for first 150 +\$50/acre over 150 acres

**CONDITIONAL USE PERMIT**

Cottage Occupation \$ 75  
 Telecommunication Tower \$ 7,000  
 Other \$ 750

**SITE PLAN**

**Non-residential** \$ 2,500 base  
 \$ 200/acre to 5 acres  
 \$ 100/acre over 5 acres

**Residential** \$ 3,500 base  
 \$ 300/unit to 20 units  
 \$ 100/unit over 20 units

**Minor Site Plan** \$ 500 for revision that increases existing structure area by 20% or less & does not exceed 5,000sf of disturbed area.

**POSTPONEMENT** of any Public Hearing or Public Meeting by Applicant after Advertisement, to include Applicant requests to **TABLE** an agenda item \$ 500/occurrence.

**THIRD & SUBSEQUENT PLAN REVIEWS**

(including County Attorney review) for a single development application \$ 500/review.

**BOND MANAGEMENT**

Establishment of bond	\$ 500
Reduction/Release	\$ 300
Replacement	\$ 500

**TDR PROGRAM**

TDR Application Review	\$300
(*Review includes TDR Letter of Intent)	
TDR Certificate	\$200
Certificate Ownership Transfer	\$50
Receiving Property Approval	\$200
Review of Sending Property	
Deed Covenant	\$100
Review of Deed of Transfer (Extinguishment Document)	\$100

**CHAPTER 161 FEES**

Installation License	\$300
Septic Haulers Permit	\$200
Residential Pump and Haul	\$50
Commercial Pump and Haul	\$500

# **MONETARY GUARANTY PACKAGE**

## **MONETARY GUARANTY ESTIMATE WORKSHEET/ EROSION AND SEDIMENT CONTROL MEASURES GUARANTY ESTIMATE FORM**



# COUNTY OF FREDERICK - DEPARTMENT OF PLANNING AND DEVELOPMENT

107 North Kent Street, Suite 202, Winchester, Virginia 22601-5000 Telephone (540)665-5651 Fax (540) 665-6395

## MONETARY GUARANTY ESTIMATE WORKSHEET

Project Name \_\_\_\_\_

Prepared By \_\_\_\_\_ Date \_\_\_\_\_

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Cost</u>	<u>Percent</u>	<u>Balance</u>
<b>A. Clearing and Grading</b>						
1. Clearing and Grubbing	_____	Acre	_____	_____	_____	_____
2. Disposal	_____	C.Y.	_____	_____	_____	_____
3. Excavation (cut)	_____	C.Y.	_____	_____	_____	_____
4. Embankment (fill)	_____	C.Y.	_____	_____	_____	_____
5. Borrow	_____	C.Y.	_____	_____	_____	_____
6. Spoil/Disposal	_____	C.Y.	_____	_____	_____	_____
7. Topsoil Removal/Storage	_____	C.Y.	_____	_____	_____	_____
8. _____	_____	_____	_____	_____	_____	_____
<b>Sub-Total for Clearing and Grading</b>				_____	_____	_____
<b>B. Erosion/Sediment Control &amp; SWM/BMP</b>						
<b>Sub-Total from Erosion/Sediment Control Measures Guarantee Estimate Form</b>				_____	_____	_____
<b>C. Streets</b>						
1. Bituminous Concrete Surface: Per / 1"	_____	S.Y./1"	_____	_____	_____	_____
2. Base Course: Bit. Conc / inch Per / 1"	_____	S.Y./1"	_____	_____	_____	_____
3. Aggregate Sub-base: Per / 1"	_____	S.Y./1"	_____	_____	_____	_____
4. Cement Treated Aggregate	_____	S.Y./1"	_____	_____	_____	_____
5. Cement Treated Sub-grade	_____	C.Y.	_____	_____	_____	_____
6. Surface Treatment	_____	S.Y.	_____	_____	_____	_____
7. Gravel Shoulder - 4" Depth	_____	S.Y.	_____	_____	_____	_____
8. Curb & Gutter	_____	L.F.	_____	_____	_____	_____
9. Header Curb	_____	L.F.	_____	_____	_____	_____
10. Median Curb	_____	L.F.	_____	_____	_____	_____
11. Curb Cut Ramps	_____	Each	_____	_____	_____	_____
12. Commercial Entrance	_____	Each	_____	_____	_____	_____
13. Driveway Entrance	_____	Each	_____	_____	_____	_____
14. Guard Rail	_____	L.F.	_____	_____	_____	_____

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**MONETARY GUARANTY ESTIMATE WORKSHEET**

Project Name \_\_\_\_\_

Prepared By \_\_\_\_\_ Date \_\_\_\_\_

	<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Cost</u>	<u>Percent</u>	<u>Balance</u>
15.	Traffic Barricade	_____	Each	_____	_____	_____	_____
16.	Edge Delineators	_____	Each	_____	_____	_____	_____
17.	Sidewalk (4' wide, concrete)	_____	L.F.	_____	_____	_____	_____
18.	Rock Excavation	_____	C.Y.	_____	_____	_____	_____
19.	Pavement Marking	_____	L.F.	_____	_____	_____	_____
20.	_____	_____		_____	_____	_____	_____
				<b>Sub-Total for Streets</b>	_____	_____	_____
<b>D.</b>	<b>Storm Sewer</b>						
1.	Easement Clearing & Restoration	_____	L.F.	_____	_____	_____	_____
2.	Pipe RCCP, Classes II - IV:						
	15"	_____	L.F.	_____	_____	_____	_____
	18"	_____	L.F.	_____	_____	_____	_____
	21"	_____	L.F.	_____	_____	_____	_____
	24"	_____	L.F.	_____	_____	_____	_____
	27"	_____	L.F.	_____	_____	_____	_____
	30"	_____	L.F.	_____	_____	_____	_____
	33"	_____	L.F.	_____	_____	_____	_____
	36"	_____	L.F.	_____	_____	_____	_____
	42"	_____	L.F.	_____	_____	_____	_____
	48"	_____	L.F.	_____	_____	_____	_____
3.	Pipe, ADS:						
	15"	_____	L.F.	_____	_____	_____	_____
	18"	_____	L.F.	_____	_____	_____	_____
	21"	_____	L.F.	_____	_____	_____	_____
	24"	_____	L.F.	_____	_____	_____	_____
	27"	_____	L.F.	_____	_____	_____	_____
	30"	_____	L.F.	_____	_____	_____	_____

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**MONETARY GUARANTY ESTIMATE WORKSHEET**

Project Name \_\_\_\_\_

Prepared By \_\_\_\_\_ Date \_\_\_\_\_

	<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Cost</u>	<u>Percent</u>	<u>Balance</u>
	33"	_____	L.F.	_____	_____		_____
	36"	_____	L.F.	_____	_____		_____
4.	Endwall						
	15"	_____	Each	_____	_____		_____
	18"	_____	Each	_____	_____		_____
	21"	_____	Each	_____	_____		_____
	24"	_____	Each	_____	_____		_____
	27"	_____	Each	_____	_____		_____
	30"	_____	Each	_____	_____		_____
	33"	_____	Each	_____	_____		_____
	36"	_____	Each	_____	_____		_____
5.	End Section						
	15"	_____	Each	_____	_____		_____
	18"	_____	Each	_____	_____		_____
	21"	_____	Each	_____	_____		_____
	24"	_____	Each	_____	_____		_____
	27"	_____	Each	_____	_____		_____
	30"	_____	Each	_____	_____		_____
	33"	_____	Each	_____	_____		_____
	36"	_____	Each	_____	_____		_____
	42"	_____	Each	_____	_____		_____
	48"	_____	Each	_____	_____		_____
6.	Curb Inlet	_____	Each	_____	_____		_____
7.	Other Inlets	_____	Each	_____	_____		_____
	_____	_____	Each	_____	_____		_____
	_____	_____	Each	_____	_____		_____
	_____	_____	Each	_____	_____		_____

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**MONETARY GUARANTY ESTIMATE WORKSHEET**

Project Name \_\_\_\_\_

Prepared By \_\_\_\_\_ Date \_\_\_\_\_

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Cost</u>	<u>Percent</u>	<u>Balance</u>
8. Junction Box JB-1:	_____	Each	_____	_____	_____	_____
9. Manhole	_____	Each	_____	_____	_____	_____
10. Modified Structure	_____	Each	_____	_____	_____	_____
11. Connect to Existing Structure	_____	Each	_____	_____	_____	_____
12. Remove Existing Structure	_____	Each	_____	_____	_____	_____
13. Pavement Restoration	_____	S.Y.	_____	_____	_____	_____
14. Curtain Wall	_____	C.Y.	_____	_____	_____	_____
15. Ditch Grading	_____	L.F.	_____	_____	_____	_____
16. Concrete Anchors	_____	C.Y.	_____	_____	_____	_____
17. Paved Ditch	_____	S.Y.	_____	_____	_____	_____
18. Sod Ditch	_____	S.Y.	_____	_____	_____	_____
19. Rip Rap:						
Class I Ungrouted	_____	S.Y.	_____	_____	_____	_____
Class I Grouted	_____	C.Y.	_____	_____	_____	_____
Class II	_____	C.Y.	_____	_____	_____	_____
20. Piling	_____	L.S.	_____	_____	_____	_____
21. Box Culvert (compute Cost in Box Culvert Computation Form)	_____	L.S.	_____	_____	_____	_____
22. Underdrains	_____	L.F.	_____	_____	_____	_____
23. _____	_____		_____	_____	_____	_____
		<b>Sub-Total for Storm Sewer</b>		_____	_____	_____
<b>E. Sanitary Sewer</b>						
1. Easement Clearing & Restoration	_____	L.F.	_____	_____	_____	_____
2. Pipe, (Including 0-8' Trenching & Select Fill):						
8"	_____	L.F.	_____	_____	_____	_____
10"	_____	L.F.	_____	_____	_____	_____
3. Pipe, PVC (Inlcuding 0-8' Trenching & Select Fill):						
8"	_____	L.F.	_____	_____	_____	_____
10"	_____	L.F.	_____	_____	_____	_____

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<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Cost</u>	<u>Percent</u>	<u>Balance</u>
4. Pipe,D.I.P.(Including 0-8' Trenching & Select Fill):						
8"	_____	L.F.	_____	_____		_____
10"	_____	L.F.	_____	_____		_____
5. Sanitary Force Main	_____	L.F.	_____	_____		_____
6. Extra Trenching (Not including Pipe):						
8' - 12'	_____	L.F.	_____	_____		_____
12' - 16'	_____	L.F.	_____	_____		_____
16' +	_____	L.F.	_____	_____		_____
7. Manhole (All Manholes) - 0-8'	_____	Each	_____	_____		_____
(Depth over 8') 8'+	_____	V.F.	_____	_____		_____
8. Drop Connection	_____	V.F.	_____	_____		_____
9. Concrete Encasement	_____	L.F.	_____	_____		_____
10. Concrete Cradle	_____	L.F.	_____	_____		_____
11. Concrete Anchors	_____	C.Y.	_____	_____		_____
12. Rock Excavation	_____	C.Y.	_____	_____		_____
13. Sheeting and Shoring	_____	L.S.	_____	_____		_____
14. Pavement Replacement	_____	L.F.	_____	_____		_____
15. Laterals:						
4"	_____	L.F.	_____	_____		_____
6"	_____	L.F.	_____	_____		_____
16. Risers	_____	V.F.	_____	_____		_____
17. Lateral Connection to Main	_____	Each	_____	_____		_____
18. Lateral Connection to Manhole	_____	Each	_____	_____		_____
19. Connect to Existing Structure	_____	Each	_____	_____		_____
20. Aerial Pipe Supports	_____	L.S.	_____	_____		_____
21. Boring or Jacking	_____	L.F.	_____	_____		_____
22. Select Fill Material	_____	C.Y.	_____	_____		_____
23. _____	_____		_____	_____		_____
<b>Sub-Total for Sanitary Sewer</b>				_____		_____

**COUNTY OF FREDERICK - DEPARTMENT OF PLANNING AND DEVELOPMENT**

107 North Kent Street, Suite 202, Winchester, Virginia 22601-5000 Telephone (540)665-5651 Fax (540) 665-6395

**MONETARY GUARANTY ESTIMATE WORKSHEET**

Project Name \_\_\_\_\_

Prepared By \_\_\_\_\_ Date \_\_\_\_\_

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Cost</u>	<u>Percent</u>	<u>Balance</u>
<b>F. Water Line</b>						
1. Easement Clearing & Restoration	_____	L.F.	_____	_____	_____	_____
2. Pipe, Ductile Iron						
6"	_____	L.F.	_____	_____	_____	_____
8"	_____	L.F.	_____	_____	_____	_____
12"	_____	L.F.	_____	_____	_____	_____
16"	_____	L.F.	_____	_____	_____	_____
3. Valve:						
6"	_____	Each	_____	_____	_____	_____
8"	_____	Each	_____	_____	_____	_____
12"	_____	Each	_____	_____	_____	_____
16"	_____	Each	_____	_____	_____	_____
4. Fittings (Tees,Bends,Crosses,Reducers & Offsets)	_____	Each	_____	_____	_____	_____
5. Water Service	_____	L.F.	_____	_____	_____	_____
6. Wet Tap	_____	Each	_____	_____	_____	_____
7. Fire Hydrant	_____	Each	_____	_____	_____	_____
8. Blow-off	_____	Each	_____	_____	_____	_____
9. Air Release	_____	Each	_____	_____	_____	_____
10. Rock Excavation	_____	C.Y.	_____	_____	_____	_____
11. Boring and/or Jacking	_____	L.F.	_____	_____	_____	_____
12. Pavement Restoration	_____	L.F.	_____	_____	_____	_____
13. Shoulder Restoration	_____	L.F.	_____	_____	_____	_____
14. Concrete Anchor/Encasement	_____	C.Y.	_____	_____	_____	_____
15. Concrete Cradle	_____	L.F.	_____	_____	_____	_____
16. Relocate Existing Hydrant	_____	Each	_____	_____	_____	_____
17. Sheet and Shoring	_____	L.F.	_____	_____	_____	_____
18. Select Fill Material	_____	C.Y.	_____	_____	_____	_____
19. _____	_____		_____	_____	_____	_____
			<b>Sub-Total for Water Line</b>	_____	_____	_____



**COUNTY OF FREDERICK - DEPARTMENT OF PLANNING AND DEVELOPMENT**

107 North Kent Street, Suite 202, Winchester, Virginia 22601-5000 Telephone (540)665-5651 Fax (540) 665-6395

**MONETARY GUARANTY ESTIMATE WORKSHEET**

Project Name \_\_\_\_\_

Prepared By \_\_\_\_\_ Date \_\_\_\_\_

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Cost</u>	<u>Percent</u>	<u>Balance</u>
<b>G. Miscellaneous</b>						
1. Septic Field	_____	L.S.	_____	_____	_____	_____
2. Pump	_____	Each	_____	_____	_____	_____
3. Monuments and Pipes	_____	L.S.	_____	_____	_____	_____
4. Monuments and Pipes	_____	Lot	_____	_____	_____	_____
5. Walkways and Trails:						
4' Asphalt	_____	L.F.	_____	_____	_____	_____
8' Asphalt	_____	L.F.	_____	_____	_____	_____
4' Gravel	_____	L.F.	_____	_____	_____	_____
4' Woodchip	_____	L.F.	_____	_____	_____	_____
6. Landscaping (per lot):						
Street Tree Landscaping	_____	Each	_____	_____	_____	_____
Buffer and Screening Landscaping	_____	Each	_____	_____	_____	_____
7. Light Poles & Electrical Conduit	_____	L.S.	_____	_____	_____	_____
8. Screening	_____	L.S.	_____	_____	_____	_____
9. Fencing	_____	L.S.	_____	_____	_____	_____
10. Retaining Wall	_____	L.S.	_____	_____	_____	_____
11. Well	_____	Each	_____	_____	_____	_____
12. Street Sign	_____	Each	_____	_____	_____	_____
13. Wheel Stops	_____	Each	_____	_____	_____	_____
14. _____	_____		_____	_____	_____	_____
15. _____	_____		_____	_____	_____	_____
16. _____	_____		_____	_____	_____	_____
17. _____	_____		_____	_____	_____	_____
		<b>Sub-Total for Miscellaneous</b>		_____	_____	_____

**COUNTY OF FREDERICK - DEPARTMENT OF PLANNING AND DEVELOPMENT**  
 107 North Kent Street, Suite 202, Winchester, Virginia 22601-5000 Telephone (540)665-5651 Fax (540) 665-6395

**MONETARY GUARANTY ESTIMATE WORKSHEET**

Project Name \_\_\_\_\_

Prepared By \_\_\_\_\_ Date \_\_\_\_\_

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Cost</u>	<u>Percent</u>	<u>Balance</u>
<b>H. Total Cost</b>						
1. Sub-Totals:			Clearing and Grading	_____		_____
			Erosion/Sediment Control	_____		_____
			Streets	_____		_____
			Storm Sewer	_____		_____
			Sanitary Sewer	_____		_____
			Water Line	_____		_____
			Miscellaneous	_____		_____
			<b>Grand Sub-Total</b>	_____		_____
				_____		_____
				_____		_____
			<b>TOTAL COST</b>	_____		_____

**Engineer Seal:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**FREDERICK COUNTY, VA  
 EROSION AND SEDIMENT CONTROL MEASURES  
 GUARANTY ESTIMATE FORM - REVISED FEBRUARY 2018**

PROJECT NAME: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 DESIGN FIRM: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 CONTACT PERSON: \_\_\_\_\_ EMAIL: \_\_\_\_\_

**EROSION AND SEDIMENT CONTROL**

<u>MIN.STD.#</u>	<u>ITEM</u>	<u>PRICE</u>	<u>UNIT</u>	<u>QUANTITY</u>	<u>COST</u>
3.01	Safety Fence	\$4.00	LF	_____	_____
3.02	Construction Entrance	\$2,500.00	Each	_____	_____
3.04	Straw Bale Barrier	\$8.00	LF	_____	_____
3.05	Silt Fence w/ Wire Support	\$8.00	LF	_____	_____
	Super Silt Fence	\$10.00	LF	_____	_____
3.07	Curb Inlet Protection	\$150.00	Each	_____	_____
3.08	Culvert Inlet Protection	\$200.00	Each	_____	_____
3.09	Diversion Dike	\$5.00	LF	_____	_____
3.10	Fill Diversion	\$2.00	LF	_____	_____
3.12	Diversion	\$10.00	LF	_____	_____
3.13	Sediment Trap	\$2,000.00	Each	_____	_____
3.14	Sediment Basin	\$5000 + \$1000	Acre	_____	_____
3.16	Paved Flume	\$35.00	SY	_____	_____
3.17	Stormwater Conveyance Channel			_____	_____
	Seeded	\$10.00	SY	_____	_____
	Sodded	\$20.00	SY	_____	_____
	Riprap	\$60.00	SY	_____	_____
3.18	Outlet Protection			_____	_____
	Riprap	\$60.00	SY	_____	_____
	Concrete	\$150.00	cy	_____	_____
3.20	Rock Check Dam	\$150.00	Each	_____	_____
3.21	Level Spreader	\$250.00	LF	_____	_____
3.22	Temporary Seeding/Mulch/Fert.	\$2,500.00	Acre	_____	_____
3.23	Permanent Seeding/Mulch/Fert.	\$3,000.00	Acre	_____	_____
	EC-2 (i.e. Jute Mesh)	\$2.00	SY	_____	_____
	EC-3 (Permanent Ditch Lining)	\$4.00	SY	_____	_____
	_____			_____	_____
	_____			_____	_____

**E&S SUBTOTAL**

**SWM/BMP**

**Non-Proprietary BMP**

	<u>COST</u>
Dry Extended Detention Pond	Provide Cost* _____
Wet Pond	Provide Cost* _____
Constructed Wetlands	Provide Cost* _____
Bioswale	Provide Cost* _____
Vegetated Grass Channel	Provide Cost* _____
Micro-bioretenion	Provide Cost* _____
Bioretenion	Provide Cost* _____
Infiltration Facility	Provide Cost* _____
Permeable Pavement	Provide Cost* _____
Vegetated Roof	Provide Cost* _____
Soil Compost Amendment	Provide Cost* _____
Rooftop Impervious Disconnection	Provide Cost* _____

**Proprietary/Manufactured BMP**

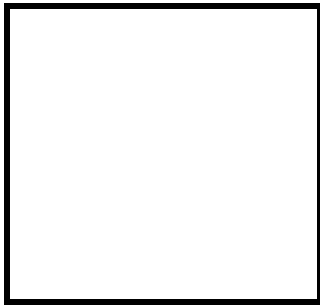
Aqua-Swirl <sup>®</sup> Stormwater Treatment System	Provide Cost*	_____
BaySaver Barracuda	Provide Cost*	_____
BaySeparator <sup>™</sup>	Provide Cost*	_____
Continuous Deflective Separator <sup>®</sup> (CDS)	Provide Cost*	_____
Downstream Defender <sup>®</sup>	Provide Cost*	_____
Dual Vortex Separator (DVS)	Provide Cost*	_____
First Defense <sup>®</sup>	Provide Cost*	_____
Hydroguard	Provide Cost*	_____
Stormceptor <sup>®</sup>	Provide Cost*	_____
StormPro	Provide Cost*	_____
Storm Water Quality Unit	Provide Cost*	_____
Terre Kleen <sup>™</sup> Hydrodynamic Separator	Provide Cost*	_____
V2B1	Provide Cost*	_____
The Vortechs <sup>®</sup> System	Provide Cost*	_____
CrystalClean Separator – Single Vault	Provide Cost*	_____
StormTank Module Debris Row	Provide Cost*	_____
Aqua-Filter <sup>™</sup> Stormwater Filtration System	Provide Cost*	_____
StormKeeper <sup>®</sup> Sediment Strip <sup>®</sup>	Provide Cost*	_____
StormTech <sup>®</sup> Isolator Row <sup>™</sup>	Provide Cost*	_____
Stormwater Management StormFilter <sup>®</sup>	Provide Cost*	_____
BayFilter <sup>™</sup> Stormwater Cartridge System	Provide Cost*	_____
Filtterra Bioretention Systems	Provide Cost*	_____
FocalPoint HPMBS	Provide Cost*	_____
Jellyfish <sup>®</sup> Filter	Provide Cost*	_____
Modular Wetland System Linear (MWS-Linear)	Provide Cost*	_____
Perk Filter	Provide Cost*	_____
Silva Cell	Provide Cost*	_____

\_\_\_\_\_  
\_\_\_\_\_

**SWM/BMP SUBTOTAL** \_\_\_\_\_  
**COMBINED SUBTOTAL** \_\_\_\_\_  
**CONTINGENCY AMOUNT** \_\_\_\_\_  
**GRAND TOTAL** \_\_\_\_\_

Contingency 25% of Combined Subtotals Required

- Notes:
1. Items not listed will be checked on a per site basis
  2. Design firms to provide cost estimates for all SWM/BMP items.
  3. SWM/BMP cost estimates shall include cost of purchase and installation.
  4. Itemized costs for non-proprietary SWM/BMP's to be provided upon County request.



Engineer's Seal

\_\_\_\_\_  
 Engineer's Signature  
 \_\_\_\_\_  
 Name (Print)

# **MONETARY GUARANTY PACKAGE**

## **OPTION A**

### **LETTER OF CREDIT**



Frederick County Dept of Planning & Development  
107 North Kent Street, Suite 202, Winchester, VA 22601  
[www.fcva.us](http://www.fcva.us) 540-665-5651

## **LETTERS OF CREDIT**

This Letter of Credit shall be furnished by a bank or other financial institution, as permitted by law. In order for a Letter of Credit to be an acceptable surety, it must be issued by an institution that the County has deemed to be creditworthy. The County may use the following criteria to determine whether an institution is sufficiently creditworthy:

1. A Fitch Rating of “B” or higher;
2. A Moody’s Investors Service or Moody’s Credit Opinions/ Financial Institutions rating of “B” or higher;
3. A Standard & Poors Issuer Credit Rating of “A” or higher;
4. A Best Credit Rating of B+ or higher; And/or
5. Information provided by other independent reporting services the County may employ.

Using the above criteria, the County will determine whether a bank has sufficient financial strength and viability and will ascertain whether or not such bank is a significant credit risk. In the event the County determines that the institution is creditworthy, the County will accept a letter of credit from the institution as security for the Permittee/Developer’s obligations.

Please be advised that the language on the Irrevocable Letter of Credit Bank Agreement which is attached should be copied or printed onto the lending institution’s official letterhead.

**IRREVOCABLE LETTER OF CREDIT  
BANK AGREEMENT**

**BENEFICIARY:**

County of Frederick, Virginia  
107 North Kent Street, Suite 100  
Winchester, VA 22601

AMOUNT: \_\_\_\_\_

ISSUING BANK: \_\_\_\_\_

Re: \_\_\_\_\_  
(Permittee/Developer Name)

ADDRESS: \_\_\_\_\_

DATE OF ISSUE: \_\_\_\_\_

EXPIRATION DATE: \_\_\_\_\_

ISSUING BANK ABA NO.: \_\_\_\_\_

---

We hereby issue our Irrevocable Letter of Credit No. \_\_\_\_\_ in favor of the County of Frederick, Virginia, to be delivered to the Treasurer, County of Frederick, Virginia, at 107 North Kent Street, Suite 100, Winchester, VA 22601, for the account of \_\_\_\_\_ (Permittee/Developer), its agents, successors or assigns for a sum not exceeding \_\_\_\_\_ U.S. dollars (\$ \_\_\_\_\_).

This Irrevocable Letter of Credit shall remain in full force and effect for a minimum of one (1) year from the date hereof and shall be automatically extended for additional terms of six (6) months from the present or future expiration dates, unless and until \_\_\_\_\_ (Issuing Bank) shall give sixty (60) days' prior written notice to the County, directed to: ***“Zoning and Subdivision Administrator, Frederick County Planning Department, Suite 202, 107 North Kent Street, Winchester, Virginia 22601”***, by certified mail, return receipt requested, that they elect not to renew the instrument for such additional period. During the last thirty (30) days while this Letter of Credit is in force and effect after notice of termination has been given, the County may draw up to the full

amount of the sum when accompanied by a document stating that the Permittee/Developer, specifically \_\_\_\_\_, has failed to provide an acceptable substitute Irrevocable Letter of Credit or deposit in escrow, and a document stating that “The drawing will be held by the County for the sole purpose of providing for the completion and/or maintenance of the site plan and/or subdivision requirements to the satisfaction of the Zoning/Subdivision Administrator or his authorized representative.”

This Irrevocable Letter of Credit shall also be terminated upon the Zoning/Subdivision Administrator or his authorized representative giving written release to the Issuing Bank and Permittee/Developer, stating that the Permittee/Developer, specifically \_\_\_\_\_, has satisfactorily performed and fulfilled the obligations and requirements of the subject site plan or subdivision.

The above Irrevocable Letter of Credit requires and secures that the Permittee/Developer shall comply with the provisions of Chapter 144, Subdivision Ordinance, Chapter 165, Zoning Ordinance, and/or Chapter 143, Stormwater/Erosion and Sediment Control Ordinance of the Frederick County Virginia Code related to all physical improvements, as detailed below. The balance shall be made available by Frederick County’s sight draft on the above stated Issuing Bank and accompanied by the two documents described below:

- (1) A statement signed by the Zoning/Subdivision Administrator for Frederick County, Virginia, or his representative, stating that the Permittee/Developer, \_\_\_\_\_, has not satisfactorily completed the construction of, and/or satisfactorily maintained, all physical improvements that include, but are not limited to, streets, curbing, gutter(s), sidewalks, above ground utilities and facilities, underground utilities and facilities, recreational facilities, drainage systems, erosion and sediment control measures, designated open space and other required improvements located in or on \_\_\_\_\_ (property description and name of project), as shown on the approved subdivision or site plan.

- (2) A statement signed by the Zoning/Subdivision Administrator or his representative that:  
“The drawing is for the explicit purpose of providing for the completion or maintenance of



a required facility or function pursuant to the requirements of Chapter 144, Subdivision Ordinance, Chapter 165, Zoning Ordinance, and/or Chapter 143, Stormwater/Erosion and Sediment Control Ordinance, of the Frederick County, Virginia Code and pursuant to the agreement of the Permittee/Developer/Beneficiary, or his agent to comply with said ordinance as a condition of the approval of the subdivision or site plan to the satisfaction of the Zoning/Subdivision Administrator.”

We hereby certify to drawers, endorsees and bona fide holders that all drafts drawn in compliance with the terms of this credit shall be duly honored upon presentation and delivery of the above documents.

This Letter of Credit is subject to the laws of the Commonwealth of Virginia and the Uniform Commercial Code.

Attest: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

(Revised 5/1/18)

# **MONETARY GUARANTY PACKAGE**

## **OPTION B**

# **PERFORMANCE BOND**



Frederick County Dept of Planning & Development  
107 North Kent Street, Suite 202, Winchester, VA 22601  
[www.fcva.us](http://www.fcva.us) 540-665-5651

**PERFORMANCE BOND**  
**INSTRUCTIONS:**

1. One of these forms shall be used whenever a performance bond is required under the Codified Ordinance of Frederick County, Virginia, as amended. There shall be no deviation from these forms without approval of Frederick County.

2. The full legal name and business address of the Principal (who shall be the Permittee/Developer for the project) and Surety shall be inserted in the spaces designated “Principal” and “Surety” on the face of the form. The Bond shall be signed by an authorized person. Where such person is signing in a representative capacity (e.g., an attorney-in-fact), but is not a member of the firm, partnership, or joint venture, or an officer of the corporation involved, evidence of his authority must be furnished. For a power of attorney from surety company to execute bonds, a copy of such power must be submitted along with deed book and page number reference, if recorded.

3. Surety, Fidelity, and Insurance Companies executing the Bond must be among those appearing on the Virginia State Corporation Commission Bureau of Insurance’s list of insurance companies licensed to transact surety business in Virginia. Unless the Surety Company is organized under the laws of Virginia, the bond must be counter-signed by a resident agent licensed in Virginia. The Company must have a Best’s rating of “A”, or better, with a Financial Size Category of “VII”.

4. The name of each person signing this Bond must be typed in the space provided.

5. The “Date Bond Executed” must be the same as or later than the date of the Performance Agreement that the Bond secures.

6. Applicant must include the Property Identification Number (PIN) under Project Description and Name of Project section below.

7. For Erosion & Sediment Control Measures Bonds, applicant must also indicate “Land Disturbance Only” under the Project Description and Name of Project section below.

**Performance Bond  
Frederick County, Virginia**

**Bond Number:** \_\_\_\_\_

**Owners of Property:** \_\_\_\_\_

**Property Description and Name of Project:** \_\_\_\_\_

\_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS, That we,  
\_\_\_\_\_, PRINCIPAL;  
and \_\_\_\_\_,  
SURETY, are obligated by this bond dated \_\_\_\_\_, to pay Frederick County, Virginia  
("County"), a political subdivision of the Commonwealth of Virginia, the sum of  
\_\_\_\_\_ Dollars (\$ \_\_\_\_\_). Heirs,  
executors, administrators, successors and assigns of the Principal, and the Surety are also obligated  
to pay the designated sum. The Principal and the Surety waive any homestead exemption related  
to payment of this obligation.

This bond shall be in effect for a period of one (1) year from the date hereof and shall  
automatically renew for additional terms of six (6) months from the present or future expiration  
date, unless and until SURETY, \_\_\_\_\_,  
shall give sixty (60) days prior written notice to the County to: ***"Zoning and Subdivision  
Administrator, Frederick County Planning Department, Suite 202, 107 North Kent Street,  
Winchester, Virginia 22601"***, by certified mail, return receipt requested, of its intent to terminate  
same at the expiration of the sixty (60) day period. This bond shall also be terminated upon the  
Subdivision Administrator (or Designee) giving written release stating that PRINCIPAL,  
\_\_\_\_\_, has well and truly  
performed and fulfilled the obligations of the agreement.

The above Obligation further requires and secures that the Principal shall comply with the  
provisions of Chapter 144, Subdivision Ordinance, Chapter 165, Zoning Ordinance and/or Chapter  
143, Stormwater/Erosion and Sediment Control Ordinance, of the Frederick County, Virginia  
Code related to all physical improvements that include, but are not limited to, streets, curbing,  
gutter(s), sidewalks, above ground utilities and facilities, underground utilities and facilities,  
recreational facilities, drainage systems, erosion and sediment control measures, designated open  
space, and other required improvements

located in or on \_\_\_\_\_  
(property description and name of project)

\_\_\_\_\_, as shown  
on the approved subdivision or site plan.

If Principal fails to complete its obligations, the County shall notify the Principal and Surety. If such obligations are not completed by the Principal or Surety or their agents within fifteen (15) days after date of notification by the County, the Surety shall pay the full amount of the bond, or such lesser amount as may be demanded by the County, to the County, within thirty (30) days of the date of initial notification referenced above. The amount payable may include administrative or other costs. Payment by the Surety shall not be conditional on suit by the County.

Witness the following Signatures:

**PRINCIPAL:**

\_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_ (please print)

Title: \_\_\_\_\_

**SURETY:**

\_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_ (please print)

Title: Attorney-in-fact and Resident Virginia Agent

**COUNTY OF FREDERICK**  
**PERFORMANCE BOND**

BOND NO.

DATE BOND EXECUTED:

PRINCIPAL(S)/CO-PRINCIPAL(S)

TYPE OF ORGANIZATION: (Check One)

(Legal Name(s), Status, and Business Address(es) and Telephone Number(s))

Individual

Partnership

Limited Liability Company

Corporation

Other (Specify) \_\_\_\_\_  
\_\_\_\_\_

(Hereinafter "Principal" whether one or more than one)

STATE OF INCORPORATION OR ORGANIZATION:

SURETY(IES):

SUM OF BOND

(Name(s) and Business Address(es) and Telephone Number(s))

\_\_\_\_\_  
Million(s)    Thousand(s)    Hundred(s)

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_

DATE OF AGREEMENT:

PLAN NAME:

PLAN NO.: CPAP-\_\_\_\_\_-\_\_\_\_\_

[STPL-\_\_\_\_\_-\_\_\_\_\_]

(Hereinafter "Surety" whether one or more than one)

and any and all revisions of such plans however numbered or designated.