



## **BOND AND ESCROW EXTENSION AND/OR REDUCTION REQUEST INSTRUCTIONS**

### **Intent and General Requirements:**

The intent of these instructions is to provide the preparer of the extension and/or reduction request a better understanding of the policies and guidelines used by the County in processing, reviewing and calculating extension and reduction requests and to reduce confusion when requesting a reduction by providing the developer or their representative an opportunity to discuss with the site inspectors any discrepancies relating to the amounts and quantities used to determine a reduction of the Performance Bond, Siltation Erosion Escrow or Landscape Escrow.

Extension and/or Reduction requests must comply with Section 130.03 of the Design and Construction Standards Manual and Section 4.07 of the Administrative Procedures Section of the Design and Construction Standards Manual (DCSM).

Thirty percent (30%) of the bonded improvements must be completed before any Performance Bond reduction request will be processed [Section 4.07.4(2)]. The maximum reduction(s) for the Performance Bond cannot exceed ninety percent (90%) of the original amount. Generally, at least fifty percent (50%) of the project should be completed for the first extension request, and eighty-five percent for the second request [Section 4.07.3(D)(1)].

Siltation and Erosion Control Escrows may be permitted, a reduction(s) provided work has satisfactorily progressed to the stage where sufficient escrows remain to ensure the installation, maintenance, and performance of erosion and sediment control measures. The maximum reduction(s) for the Siltation and Erosion Control Escrow cannot exceed seventy-five percent (75%) of the original amount.

Landscape Escrows may be permitted a reduction provided work has satisfactorily progressed to the stage where all required landscaping items are installed and thriving upon the determination of the County Site Inspectors. If a project is deemed eligible for a Landscape Escrow reduction, a one-time fifty percent (50%) reduction will be allowed.

The County may accept up to three (3) reduction requests in any twelve (12) month period. Requests for bond and escrow reduction will not be processed if there are unresolved site violations.

## Submission Requirements:

All extension and/or reduction requests must be submitted via mail e-mail at [LDD@pwcgov.org](mailto:LDD@pwcgov.org). Please see <https://www.pwcva.gov/department/land-development-division/ldd-documents> for the latest requirements. The request must contain:

- A written explanation for the extension. The written explanation must include reasons and conditions which have precluded the completion of the required physical improvements.
- A written detailed timeline to complete the project (what needs to be completed and anticipated date of completion). The request will be rejected if the timeline fails to provide sufficient details on what needs to be completed and anticipated date of completion.
- A copy of the original Proffer Statement or Special Use Permit Conditions along with a current Proffer or Special Use Permit analysis must be submitted (if there is a rezoning or special use permit for the property). The analysis must display a current date, and the information contained within the analysis must be up to date. The request may be rejected if any of the requested documents are not provided.
- Bond Extension and/or Reduction Estimate Worksheet. The worksheet must be completed for all requests. Bond extension and/or reduction requests do not require certification by a professional engineer. However, certified requests will be accepted for processing. Please see below for more information regarding the worksheet.
- The request must include name, address, telephone number and e-mail address for the developer and the preparer.

## Extension and/or Reduction Fee

**The filing fee for an extension and/or reduction request submitted prior to the agreement expiration date is \$1,853.46. Filing fee for an extension and/or reduction request submitted after the agreement expiration date is \$2,781.77.**

Fees are required with the request, unless the request is submitted by e-mail. Fees for e-mail requests must be received within three (3) business days. The request will be rejected, and the applicant will be required to resubmit the request if the fees are not submitted within (3) business days.

## **Bond Extension and/or Reduction Estimate Worksheet:**

The form is in MS Excel format and must be completed electronically by the preparer and submitted via e-mail to Land Development [LDD@pwcgov.org](mailto:LDD@pwcgov.org). The form requires the retention of a certain percentage of the construction for specific bonded items. These are guidelines and the actual percentages of monies held are determined by the inspectors and are based upon the level of quality of workmanship and materials. The preparer and/or applicant can meet with the inspectors to discuss any differences in the reduction amount.

To facilitate review of the extension and/or reduction request, an "Original Bond Quantity" column was added to the worksheet. The Original Bond Quantity column is to be used for items from the Unit Price List (UPL) of the approved plan, approved plan revisions and pavement redesigns (as noted on page 1 of the worksheet).

*The current version of the Bond Extension and/or Reduction Estimate Worksheet must be submitted in MS Excel format. The worksheet can be downloaded from <https://www.pwcva.gov/department/land-development-division/ldd-documents>.*

## **Review Process:**

Reduction requests are processed in accordance with the Bond Reduction Procedure. Once the extension and/or reduction request is reviewed and processed, the developer will receive a letter from the Department of Development Services. Projects that are considered for an extension and/or reduction will require proper documentation from the Surety Company or Financial Institution to officially extend and/or reduce the bond or escrow. Documentation from the Surety Company or Financial Institution must be submitted within thirty (30) days from the date of the Department of Development Services letter.

Documents from the Surety Company or Financial Institution cannot be accepted until the Department of Development Services has notified the developer that the extension and/or reduction request is under consideration. Documents received prior to this notification will be returned to the applicant.