CITY OF SANTA FE
PLANNING AND LAND USE DEPARTMENT

INFRASTRUCTURE COMPLETION POLICY

Effective June 1, 2021

The Land Use Department requires adherence to the Land Development Code, Chapter 14 of the Santa Fe City Code ("SFCC" or "Code), to protect the health, safety, and welfare of residents.[1] See generally SFCC Subsections 14-1.3 (General Purposes), 14-8.1 and 14-8.2 (Terrain and Stormwater Management), and 14-9 (Infrastructure Design, Improvement, and Dedication Standards).

This Infrastructure Completion Policy ("ICP") is based on Chapter 14 and provides greater detail on the process the City follows from the time the City Engineer approves required project plan documents through the City's final acceptance of the project. The City will distribute this ICP and appendices to the Applicant at the time of application for a development plan or subdivision plat and will review this ICP with the Applicant in detail during the design review process as needed, and at the Pre-Construction meeting. The implementation and enforcement of this ICP shall be carried out in conjunction with the Fire, Public Works, and Public Utilities Departments.

Code references in this ICP are current as of the effective date above.

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[1] The full text of the Land Development Code, Chapter 14 SFCC, is available at: https://library.municode.com/nm/santa_fe/codes/code_of_ordinances

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ICP DEFINITIONS

Terms in this ICP that are defined in SFCC Section 14-12.1 shall have the meanings set forth in the Code. Additionally, for purposes of this ICP, the terms below shall be defined as follows.

Change Order – Any proposed change to the construction drawings approved by the City Engineer for a project. Change orders shall be submitted with a letter stating the reason for the change along with all supporting plans and documentation to the City Engineer for pre-approval. If the changes are approved, they must be submitted as an amendment to the permit with the perforated plan set. Approved change orders may affect the required amount in the financial guarantee.

Clearing and Grubbing -The removal of vegetation conducted with only small machinery (e.g. backhoe, skid steer, chain, come-along, chainsaw, etc.).

Fugitive Dust - The release, escape, or loss of soil and organic materials or other wind borne particulates due to windy weather conditions from a subject property onto adjacent property, the public or private right-of-way, or other area not within the legal bounds of the subject property.

Infrastructure Permits – This includes Grading/Drainage permits and Landscape/Utility permits for both on-site and off-site work.

Mass grading – Excavating or filling or combination of excavating and filling of a subdivision or tract of land across multiple parcels or zones of a property to alter the topographic and vegetative features.

Off-Site improvements – Any Public Improvement or Quasi-Public Improvement that will be located within the public right-of-way and is required as a condition of approval or will be maintained by the city. .

On-Site improvements – Any Public Improvement or Quasi-Public Improvement that will be located outside the public right-of-way and is required as a condition of approval or will be maintained by the city.

Revegetation – The process of replanting and rebuilding the soil of disturbed land to a close approximation of its natural condition prior to disturbance. Appropriate drought-tolerant plant materials, including grasses or other groundcover and native trees and shrubs, where appropriate, shall be used for revegetation. All plant materials shall be irrigated until they are established. An acceptable rate of germination and establishment of native grasses shall be seventy percent (70%) of existing native vegetation within the nearby pristine general area. Weeds do not qualify as acceptable vegetation. Revegetation requirements are set forth in SFCC Subsections 14-8.2(D)(5) and 14-8.4.

Site Restoration

The process of renewing, reclaiming, and salvaging site features and ecosystems that have been altered, degraded, damaged, or destroyed to pre-development conditions or to other modified conditions as approved by the City Engineer.

SECTION I

RESIDENTIAL SUBDIVISIONS AND PUBLIC AND QUASI-PUBLIC IMPROVEMENTS AS PART OF A DEVELOPMENT PROJECT

The ICP procedures described in this section apply to residential subdivision projects and other development projects that include public roadway, public utility, and other infrastructure considered public or quasi-public and requiring an Agreement to Construct Required Development Improvements and a financial guarantee under SFCC Subsections 14-9.1(B) and 14-9.5.

A. PRE-CONSTRUCTION MEETING

A party responsible for the improvements subject to the ICP shall request, schedule, and coordinate a Pre-Construction Meeting with the City Engineer after the following items have been completed.

1. Project construction reproducible documents (including Engineered Water Plans approved by the Water Division*) must be printed on Mylar and must be approved and signed by the City Engineer.
2. Executed "Agreement to Construct Required Development Improvements" or "Agreement for Escrow" and associated financial guarantee(s) covering public and quasi-public improvements[2] must be approved and accepted by Land Use Department (agreements for infill development may be subject to additional stipulations regarding traffic control, noise and dust mitigation, etc.).
3. Subdivision plat, development plan, and/or other required documents must be recorded with the Santa Fe County Clerk's Office.
4. Subdivision plat, development plan, and/or other required documents must be filed with the City Plat Room and assigned a filing number after recording with the County.

*After the water infrastructure subcontractor is selected, the developer shall obtain a Notice to Proceed from the Water Division prior to starting work.

The following parties and representatives shall be invited to the Pre-Construction Meeting, as applicable:

- Planning Division Staff assigned to the project;
- Developer;
- Design Engineer;
- Contractor (if contracted);
- Utility Companies;
- Wastewater Management Division;
- Water Division Engineering;
- Water Resources/Water Budget;
- Environmental Services Division;
- Storm Water Division;

[2] Public and quasi-public improvements include infrastructure (water lines, sewer lines, utilities service, streets, and roads), emergency access and fire suppression, terrain management improvements including revegetation and site restoration, storm drainage facilities, and landscaping of common areas. *See* SFCC § 12.1 (definitions).

- Traffic Operations Section;
- Traffic Engineering Section;
- Streets & Drainage Maintenance Division;
- Stormwater Pollution Prevention Plan ("SWPPP") Operator; and
- Independent Testing lab(s).

The following documents, as applicable, shall be submitted to the City Engineer or designee at the Pre-Construction Meeting:

1. The Notice of Intent ("NOI") from the U.S. Environmental Protection Agency ("EPA") SWPPP documents, showing that the EPA has given approval for the construction to begin;
2. Verification of contract with SWPPP Manager;
3. Preliminary list (including contact information) of general contractors, subcontractors, suppliers, and utility companies
4. City-approved construction documents (engineering plans) as follows:
    - Two 24"x 36" bond plan document sets printed to scale and bound; and
    - Two 11" x 17" plain paper plan document sets, bound;
5. Contractor's preliminary construction schedule with preliminary timeline for required inspections and sequence to acceptance, including winter-weather contingencies;
6. Any Construction Sequencing Planning documents requested by the City Engineer (see Appendix A - Sequence of Construction (SOC) Policy); and
7. Phasing plan and implementation procedure for grading and clearing as required by the City Engineer on all sites where construction will not begin immediately after clearing and grading per SFCC Subsection 14-8.2(D)(2)(c).

At the Pre-Construction Meeting, City staff will review the process for infrastructure construction inspections and approvals, provide a close-out check list, and discuss coordination of the ICP requirements with requests for partial and final release of the financial guarantee, issuance of required construction permits, and inspections. Staff will also review the standard procedures and conditions, such as the following.

- City Engineer may approve a third-party inspector to conduct limited inspections for on-site construction work, such as base course testing and backfilling;
- City inspector must conduct inspections for requests for partial and final release of the financial guarantee, Partial Completion, Substantial Completion, and Final Acceptance;
- Surveying, sewer, and water requirements per the Water Division Engineering Technical Closeout Package Checklist;
- Concrete, subgrade, base course, and asphalt testing;
- Circumstances for payment or non-payment of stockpiled materials;
- Traffic control plan;
- Dust control measures; and
- SWPPP installation;
- Emergency Contacts

B. INFRASTRUCTURE PERMIT SUBMITTALS

In conjunction with the scheduling of the Pre-Construction Meeting, the Applicant is required to request a Pre-Permit Application Meeting with the Building Division in preparation for submittal of permit applications for Infrastructure Permits.

Infrastructure construction documents may be submitted for Infrastructure Permits immediately after the development plan has been recorded with the Office of the Santa Fe County Clerk and filed with the City Plat Room and an infrastructure address has been assigned by the City GIS Division, as coordinated by the developer with the City Engineer. With express written approval by the Land Use Director of a proposal justifying the need, infrastructure construction documents may be submitted for permit prior to recordation of the development plan. Addressing will still be required prior to recordation.

Infrastructure permits shall not be issued prior to submittal of the approved Development Plan/Subdivision plat, and until the applicant has dedicated water to meet the approved development water budget for the development project plus a 9.8% contingency that covers water utility delivery requirements, as documented by the Water Division dedication form and complied with the conditions thereof (SFCC 14-8.13 Development Water Budgets).

C. PARTIAL COMPLETION

The City shall not accept applications for individual vertical building permits until Partial Completion of infrastructure is approved by the City Engineer, as required to protect health, safety, and welfare. "Partial Completion" means completion of the following items, as applicable.

<u>By Submittal to the Land Use Department Engineering Division:</u>

1. Fire Department confirmation of the availability of fire protection and emergency access;
2. Wastewater Management Division "Permission to Pave" letter, which is issued after review of preliminary as-built construction drawings, video, pressure test, and logs;
3. Water Division Paving Letter confirming that no field work is outstanding other than final paving and adjustment of valves, including adjusting valve boxes to grade and pouring concrete collars;
4. Permission to pave letters from utility companies (e.g., Comcast, Qwest, PNM, and New Mexico Gas Company of New Mexico);
5. Base course and asphalt testing report(s) and visual inspection by the Engineering Division; and
6. Other predetermined required submittals, based on the nature of the public or quasi-public improvements included within the project.

<u>By Inspection from City Staff</u>

1. Roadway curb and gutter must be installed, and paved roadways must have the first lift (mat) of asphalt in place. Other required fire access roads shall have an all-weather roadway in place;
2. Emergency access routes must be in place, with trenches backfilled;
3. All curb and gutter or other drainage conveyance systems must be installed and functional;

4. Other predetermined required inspections, based on the nature of the public or quasi-public infrastructure included within the project; and
5. Must pass Partial Completion final inspection.

Any change orders shall be submitted directly to the City Engineer prior to submitting amendments to the Building Division. Change orders to the engineering plans shall be approved by the City Engineer prior to commencement of the proposed work.

D. INDIVIDUAL VERTICAL/STRUCTURAL BUILDING PERMITS

After approval and issuance of the Infrastructure Permits and after Partial Completion, the Applicant may schedule pre-permit application reviews and/or Master Model review with the Building Division for individual vertical building permits. Except as provided below for master models and model homes, the City shall not accept applications for individual vertical building permits until the project or approved phase thereof has reached Partial Completion and the City Engineer has ordered the release of addresses. Prior to Partial Completion and in order for release of addressing, the Land Use Director has discretion to approve a written request to submit an application for an individual vertical building permit for a master model or model home, but an application for speculative home permits shall not be accepted until Partial Completion has been verified and the request for release of addresses has been processed and addresses have been issued.

Once Partial Completion has been verified, the City Engineer will request release of parcel addresses and submit a Memorandum to the Building Division Manager acknowledging approval (including a Partial Completion inspection punch list), which will allow for the intake and issuance of individual vertical building permits. The subdivision plat and/or development plan shall be attached to the memorandum for identification of relevant streets. The City Engineer will copy the Fire Department, Water Division, Wastewater Management Division, and GIS Division on the Memorandum.

The building permit application package for each individual building or structure must include a driveway permit from the Public Works Department and all other prerequisite documents (Please refer to applicable checklists available from the Building Division).

E. SUBSTANTIAL COMPLETION

Substantial Completion of the infrastructure construction is required for issuance of a Certificate of Occupancy for any individual vertical structure. “Substantial Completion” means completion of the following items, as applicable.

<u>By Submittal to the Land Use Department Engineering Division:</u>

1. Receipt of the Certificate of Completion by the Water Division, confirming approval of all water infrastructure construction, as-built construction documents and valve ties. Requests for meters are not allowed until after the project water infrastructure is fully accepted by the Water Division.
2. Sign-off from the Wastewater Management Division; and
3. Other predetermined required submittals, based on the nature of the public or quasi-public infrastructure included within the project.

<u>By Inspection from City Staff:</u>

1 All major terrain management must be complete as follows:

- Regional ponding and on-site ponding, as applicable, must be installed according to the approved construction documents;
- Fill-slopes steeper than 3:1 and cut-slopes greater than 2:1 must be stabilized and revegetated; and
- Temporary erosion control measures must be maintained;

2. All striping and signage must be completed;
3. All street lighting and on-site driveway and parking lighting, as applicable, must be installed and functional;
4. All sidewalks must be installed, and if continuous sidewalk is not available due to active construction, "closed sidewalk" signage must be clearly posted;
5. Other predetermined required inspections, based on the nature of the public or quasi-public infrastructure included within the project; and
6. Acceptance by the Public Works Department of signage, striping, signals, roadways, or other improvements completed in City right-of-way ("ROW").
7. Access to any cross country/out-of-roadway public sewer provided as required by Wastewater Management Division.

Alternative to Sidewalk Construction: For residential subdivisions, as an alternative to installing all sidewalks, the developer has the option to complete all of the following for purposes of Substantial Completion, provided that all sidewalks must be installed per approved construction documents prior to final acceptance:

- Install curb ramps for all streets that have curb and gutter;
- Install sidewalk in front of an individual structure for which a Certificate of Occupancy is required that meets all standards and testing that is applicable and required by the approved construction documents;
- Install a temporary accessible route[3] through the development from the individual structure for which a Certificate of Occupancy is requested to existing public ROW and public amenities (such as bus stop, public park, etc.). The accessible route is required where sidewalk is required, as per approved plans, and must connect to approved permanent curb ramps. An accessible route is defined as having a 36" minimum width; firm, stable, slip-resistant surface with no more than 5% running slope; 2% cross slope (1.5% preferred); and 60"x60" turning radius every 200 linear feet of run. Other ADA criteria may apply. The City of Santa Fe does not recognize a street as an accessible route.
- Submit a Release and Indemnification Agreement to the City to release liability.
- The developer shall be responsible for continuous maintenance of the accessible route and must submit an Accessible Route Maintenance Agreement to the City.

Once Substantial Completion is accomplished, the City Engineer will generate a Memorandum to the Inspections Division Manager, acknowledging approval to issue Certificates of Occupancy within the development. The City Engineer shall copy the Fire Department, Water Division, and Wastewater Management Division on the Memorandum.

[3] Examples of acceptable materials for a temporary accessible route include 3.5" depth, 2,500 PSI concrete walkway on compacted in situ soil; 2" depth asphalt walkway on compacted in situ soil; 4" depth compacted base course walkway with weed barrier; 4" depth compacted, stabilized stone crusher fine walkway with weed barrier; or 4" depth, 1,500 PSI soilcrete walkway.

F. PRE-FINAL INSPECTION

The City Inspector will coordinate a pre-final inspection, inviting the staff of the Wastewater Management Division, Water Division, Traffic Operations Section, Traffic Engineering Section, Streets and Drainage Maintenance Section, and Environmental Services Division to attend. Within 10 working days after the pre-final inspection, the City Inspector will send results and an official punch list in writing to the developer. The developer shall resolve all punch list items generated during the pre-final inspection prior to requesting a final inspection. The punch list items must be completed and an inspection requested within 30 calendar days, or another pre-final inspection may be required.

The developer may submit the close-out package at the pre-final inspection. Within two weeks of the submittal, City staff will send the developer a list of items that may be missing from the close-out package.

G. FINAL ACCEPTANCE

The following items must be met for the City to issue Final Acceptance.

Final Acceptance requires approval of wet and dry utilities as follows:

1. Final acceptance letter from Wastewater Management Division (any reference to "acceptance" must specify "acceptance from Wastewater Management Division only");
2. Certificate of Completion, Final Inspection Acceptance executed by the Water Division; and
3. Final completion letters from dry utility companies.

The developer may request a final inspection when all punch list items have been addressed and resolved to the inspector's satisfaction and accepted by the City. The City Inspector will coordinate the final inspection, inviting staff from the Wastewater Management Division, Water Division, Traffic Operations Section, Traffic Engineering Section, and the Streets and Drainage Maintenance Section to attend. If the developer chose the "Alternative to Sidewalk Construction" option described above, sidewalks must be installed throughout the entire development/phase before Final Acceptance will be approved.

The developer shall provide a "Release of Liens" from the general contractor and all subcontractors so that the City cannot be held liable for any non-payment. The suppliers may be covered under either the general contractor or the subcontractor's release, but only if they are specifically named in the release. Otherwise individual releases will be required from all suppliers.

The developer or their engineer shall request the engineering Mylar plans from the plat room and revise them to reflect the as-built conditions. These Mylar as-built plans shall be submitted to the assigned City inspector for review and approval. AutoCAD as-built drawings will also be accepted, but not in lieu of the accompanying Mylar documents.

The developer shall provide a hard copy and a digital copy of the final as-built construction documents to the Wastewater Management Division and a hard copy of the plat, street names, drainage easements, and ROWs, to the Traffic Engineering Section for reference purposes.

Once all Mylar as-built plans, close-out package documents, release of liens, and site work have been approved, the City Engineer will provide a Letter of Acceptance to the developer with copies to the Fire

Department, Wastewater Management Division, Water Division, Streets and Drainage Maintenance Section, GIS Section and/or other divisions or agencies as applicable.

Upon written request by the developer to the City Engineer, the City will release up to 90% of the financial guarantee. The remainder of the financial guarantee shall be held for the one-year warranty period. The Applicant may request a warranty inspection from the City Inspector after 11 months to justify release of the remaining 10% upon expiration of the warranty period.

A financial guarantee must remain in place until the project is accepted by the City. If the project has not been accepted by the City within two years of the original financial guarantee, the Applicant shall submit a revised Engineer's Estimate for all outstanding non-completed work to the City Engineer for approval. Based on the final version of the revised Engineer's Estimate, a modification to the financial guarantee may be required. The City shall hold 10% of the original guarantee or the new guarantee, whichever is greater, during the one-year warranty period.

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SECTION II

MODIFICATIONS TO APPLICABLE SECTION I PROCEDURES FOR COMMERCIAL, MULTI-USE, AND MULTI-FAMILY DEVELOPMENT PROJECTS

This section modifies Section I procedures and covers distinct considerations for commercial, multi-use, and multi-family development projects that require an Agreement to Construct Required Development Improvements and a financial guarantee under SFCC Subsections 14-9.1(B) and 14-9.5.

A. INFRASTRUCTURE PERMIT SUBMITTALS

Prior to application for infrastructure and vertical permit(s), the applicant shall schedule a Pre-Permit Application Meeting with the Building Division to review the project and coordinate for submittal of applications for the required building permits.

Infrastructure construction documents may be submitted for infrastructure permits immediately after the City Engineer has approved the construction drawings, the development plan has been recorded with the Office of the Santa Fe County Clerk and filed with the City Plat Room, and an infrastructure address has been assigned by the City GIS Division, as coordinated by the developer with the City Engineer. With express written approval by the Land Use Director of a proposal justifying the need, infrastructure construction documents may be submitted for permit prior to recordation of the development plan. Addressing will still be required prior to recordation.

If a driveway will be constructed in conjunction with off-site improvements to the public ROW, a curb cut permit (issued by the Traffic Engineering Section) must be submitted with infrastructure permit application(s) for the off-site improvements. If a driveway will be constructed separately from the off-site improvements, a curb cut permit must be submitted with the infrastructure permit application(s) for the on-site improvements.

B. INFRASTRUCTURE PERMIT APPROVALS

In all instances, the infrastructure permits shall not be issued until after the development plan has been recorded with the Office of the Santa Fe County Clerk, filed with the City Plat Room, and reviewed and approved by the Building Division.

Infrastructure permits require associated secondary trade permits for all utility work inspected by the City. This utility work is limited to the infrastructure portion of the project only and does not include approval or permit for utility work related to vertical construction. Secondary trade permits for subgrade and other utility work related to the vertical construction may only be applied for and issued after issuance of the associated vertical building permit(s).

With express, written approval by the City Engineer and with required drainage and ponding measures in place, installation and inspection of roadway/driveway curb and gutter may be postponed until after approval of Partial Completion.

C. VERTICAL BUILDING PERMIT SUBMITTALS

Vertical building construction documents may be submitted for permit immediately after the infrastructure permits are submitted and the Development Plan/Subdivision Plat are recorded and filed and permanent addresses and individual building and unit numbers have been assigned by the City GIS Division, as coordinated by the developer with the City Engineer.

D. VERTICAL/STRUCTURAL BUILDING PERMIT APPROVALS

Vertical/Structural permits may only be issued after all criteria for the development, or approved phase thereof, have been met and approved by the City Engineer under the Partial Completion guidelines set forth in Section I, unless otherwise expressly authorized by the Land Use Director in writing for non-combustible, foundation only permitting. Once Partial Completion of the infrastructure has been approved, the City Engineer will generate a Memorandum to the Building Division Manager acknowledging approval, which will allow for the release of individual Vertical/Structural building permits. The Memorandum will also include the plat and/or development plan for identification of relevant streets. The City Engineer shall copy the Fire Department, Water Division, Wastewater Management Division, and GIS Division on the Memorandum.

The City may issue Vertical/Structural building permits for foundation only, non-combustible work prior to Partial Completion of the infrastructure, provided that such permits shall be limited to approved vertical structures with availability to fire protection and emergency access, as required by the Fire Department. Required fire flow and emergency access required for building safety of the planned structure must be in place prior to issuance of Vertical/Structural permits. The developer shall coordinate with the Water Division, Fire Department and City Engineer* regarding the necessary provisions and then offer a proposal of the scope of work to the Land Use Director for review and written authorization.

Once the associated vertical permit(s) are reviewed and approved by the Building Division, the developer may request issuance of individual permits for the buildings/structures, as previously authorized by the Land Use Director, for non-combustible, foundation only construction. This approval is also contingent on written approval by the Fire Code Official to the City Engineer approving the entire project for issuance of vertical construction permits or approving issuance of limited vertical permits for areas of the project permissible for foundation only or vertical construction. The developer shall not proceed with the combustible portion of the work approved under these issued permit(s) without obtaining written approval from the Fire Department, Water Division, Wastewater Management Division, The City Engineer and Building Division.

If approval of Vertical/Structural permits is required prior to criteria for issuance having been met, as a condition of a loan, HUD financing, or other valid constraint, the developer may submit a proposal with documentation justifying the need (e.g., letter from the lender) for review by the Land Use Director. At the Land Use Director's discretion, a letter may then be sent to the concerned parties confirming that Vertical/Structural permits have been approved in advance of issuance. If permits are conditionally approved by the Land Use Director, no vertical construction, including subgrade building utilities or foundation work, may subsequently occur without formal issuance of the approved permits.

*Required drainage structures shall be rough graded to convey and detain required volumes of surface storm water prior to issuance of vertical building permits for foundation only work.

E. INSPECTION OF ON-SITE IMPROVEMENTS NOT CONSIDERED PUBLIC OR QUASI-PUBLIC

Driveways and walkways outside of the public ROW that are included in the approved on-site improvements but are not considered public or quasi-public infrastructure shall be inspected by the City for drainage and ADA compliance only. The City shall not require a financial guarantee for these improvements. At the request of the City Engineer, the Developer shall provide qualified third-party inspection and testing reports certified by a New Mexico licensed Civil Engineer showing compliance with the specifications included in the permitted construction documents.

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SECTION III

MODIFICATIONS TO APPLICABLE SECTION I PROCEDURES FOR CONSTRUCTION OF DEVELOPMENT PROJECTS WITHOUT AN AGREEMENT TO CONSTRUCT REQUIRED DEVELOPMENT IMPROVEMENTS

SFCC Subsection 14-9.5(B) permits a developer to construct infrastructure without entering into an Agreement to Construct Required Development Improvements. To do so, the developer must complete all public and quasi-public infrastructure in accordance with the permitted construction documents and must pass all required inspections prior to commencing other aspects of the development. This section covers distinct considerations for infrastructure development without entering into an Agreement to Construct Required Development Improvements.

A. PRE-CONSTRUCTION MEETING

The party(s) responsible for the improvements subject to the ICP shall request, schedule, and coordinate a Pre-Construction Meeting with the City Engineer as specified under Section I after the following Items have been completed and prior to the issuance of building permits.

1. Project construction documents for review by the City Engineer
2. Additional required documents and materials submittals for review by the City Engineer as requested

The following documents, as applicable, shall be submitted to the City Engineer at the Pre-Construction meeting.

1. The NOI from the EPA SWPPP documents, showing that the EPA has given approval for the construction to begin
2. Verification of contract with SWPPP Manager
3. Preliminary list (including contact information) of General Contractors, Subcontractors, suppliers, and utility companies (Although the City will not require that the General Contractor, Subcontractor, supplier, and utility company contracts/agreements be submitted at the Pre-Construction Meeting, it is strongly encouraged.)
    a. Project construction documents (engineering plans) approved and signed by the City EngineerTwo 24”x 36” bond plan document sets printed to scale and bound
    b. Two 11” x 17” plain paper plan document sets, bound
4. Contractor’s Preliminary Construction Schedule (with preliminary timeline for required inspections and sequence to acceptance) including winter weather contingencies
5. Construction Sequencing and Logistics Planning documents as requested by the City Engineer. See Appendix A - Sequence of Construction (SOC) Policy
6. Phasing plan and implementation procedure for clearing and grading as required by the City Engineer on all sites where construction will not begin immediately after clearing and grading per SFCC Subsection 14-8.2(D)(2)(c)

At the Pre-Construction meeting, City staff will review the process for construction approvals and inspections and provide a close-out check list. Staff will also review the standard stipulations and conditions specified under Section I.

B. GENERAL REQUIREMENTS FOR CITY APPROVAL

The Developer is required to complete the following items prior to starting construction work:

- Engineer's Estimate for the Public and Quasi-Public improvements
- Prior to the Pre-Construction meeting, a financial guarantee is required for the cost of restoration/revegetation of the site vegetation and topographic features to pre-development conditions if the improvements are not completed, all public water and sewer infrastructure required for the project, and 10% of the construction valuation to cover the 12 month warranty period for any improvements to be dedicated to the City for maintenance (i.e. public roadway, sidewalk, utility infrastructure, park/open space, etc.)
- Review and approval of SWPPP by City Engineer
- Provide to City Engineer
    - Fugitive Dust Mitigation and Control Plan
    - Cut and Fill Quantities
    - 24-hour emergency contact numbers
    - Approved haul route
    - Release of liability

C. SPECIAL CONDITIONS

Ongoing inspections, test results, pre-final Inspection, and final acceptance/final approval are required for any Quasi-Public infrastructure and for Public infrastructure intended to be dedicated to the City for maintenance.

All inspections required for Sections I and II are required, as applicable, for construction of development projects without a financial guarantee.

The developer shall not record and file the development plan/subdivision plat until the City has issued a letter of acceptance for any infrastructure intended to be dedicated to the City.

Applications for vertical building/structural permits will not be accepted until substantial completion, nor released prior to final acceptance of any development project improvements constructed without a financial guarantee, which are to be dedicated to the City for maintenance.

If an Agreement to Construct Required Development Improvements has been executed prior to application for building permit(s) to construct project improvements, the provisions under this section will not be allowed and the developer must follow all requirements and procedures in Section I and Section II of this document, as applicable.

Lot sales are prohibited prior to final completion, recording, and filing of the development plan or subdivision plat, as applicable.

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SECTION IV

MODIFICATIONS TO APPLICABLE SECTION I PROCEDURES FOR PRELIMINARY CLEARING AND GRUBBING OR LIMITED GRADING AT OWNER'S RISK PERMITS, AND FOR EMERGENCY GRADING AT OWNER'S RISK PERMITS

This section covers distinct considerations for preliminary clearing and grubbing and limited grading, at the Owner's risk, prior to issuance of associated comprehensive Infrastructure Permits and for grading under emergency circumstances, as allowed under SFCC Subsection 14-8.2(D)(2)(f) and (g), at the discretion of the Land Use Director.

A. PRELIMINARY PRE-CONSTRUCTION MEETING

Any party responsible for the improvements subject to the ICP shall request, schedule, and coordinate this meeting with the City Engineer as specified under Section I after the following items have been completed and prior to the issuance of building permits.

1. Project construction reproducible documents printed on Mylar and approved and signed by the City Engineer;
2. Fully executed "Agreement to Construct Required Development Improvements" or "Agreement for Escrow" and financial guarantee(s) covering all required divisions of project work accepted by the Land Use Department (agreements for infill development may be subject to additional stipulations regarding traffic control, noise and dust mitigation, etc.);
3. Plats, development plans, and other required documents are recorded at the Santa Fe County Clerk's Office; and
4. Plats, development plans, and other required documents are filed with the City of Santa Fe Plat Room.

The following documents, as applicable, shall be submitted to the City Engineer or designee at the pre-construction meeting.

1. The NOI from the EPA SWPPP documents, showing that the EPA has given approval for the construction to begin
2. Verification of contract with SWPPP Operator
3. Preliminary list (including contact information) of contractors who will be conducting the approved work
4. City approved construction documents (engineering plans)
    a. Two 24"x 36" bond plan document sets printed to scale and bound
    b. Two 11" x 17" plain paper plan document sets, bound
5. Phasing plan and implementation procedure for grading and clearing as required by the City Engineer on all sites where construction will not begin immediately after clearing and grading per SFCC Subsection 14-8.2(D)(2)(c)
6. Significant tree location and plan for protection or relocation

At the preliminary pre-construction meeting, City Staff will also review the following stipulations and conditions, included, but not limited to:

- Scope of clearing and grubbing and/or grading and allowed equipment

- Dust control (including number of water trucks on-site)
- Traffic control plan if required
- Removal of stumps
- Mulching of vegetation to be removed

B. GENERAL REQUIRMENTS FOR CITY APPROVAL

The following items shall be completed prior to starting construction work:

- Review and approval of SWPPP by City Engineer
- Provide to City Engineer
    - Fugitive Dust Mitigation and Control Plan
    - Cut and Fill Quantities
    - 24 hour emergency contact numbers
    - Approved haul route
    - Release of liability

C. SPECIAL CONDITIONS

An additional, stand-alone financial guarantee amount is required to ensure comprehensive site restoration and to comply with any changes required by the plan review process or inspections, at the Owner's expense. SFCC Section 14-13.1.

Grading under emergency circumstances as approved by the Land Use Director: In addition to the permit fee(s) and prior to the pre-construction meeting, the Owner shall submit a financial guarantee equal to two-thousand dollars ($2,000) per acre, or as stipulated by the City Engineer after review of the terrain conditions and the extent of required grading. SFCC Section 14-13.1. The scope of clearing and grubbing and/or grading work performed shall be limited to work reasonably necessary to prevent imminent danger to life, safety, or property. At the sole discretion of the City Engineer, with approval from Land Use Director, requirement of the pre-construction meeting and General Requirements for City Approval indicated above may be waived to accommodate emergency circumstances.

As applicable, the following stipulations shall apply to preliminary clearing and grubbing or limited grading at Owner's risk permits, and for emergency grading at Owner's risk:

- Existing utility lines shall be located prior to commencement of any work
- SFCC Subsection 14-8.2(D)(7)) Best Management Practices (BMP's) shall be followed.
- Ensure all permitting (NOI, EPA Construction General Permit (CGP), SWPPP) are in place prior to commencement.
- Identify significant trees to be saved, and follow the code requirements to protect those trees and file a report with the City Engineer identifying the significant trees prior to starting tree removal.
- All disturbed areas shall be protected from erosion during construction to prevent erosion and retain sediment on site.
- Install erosion and sediment control devices prior to the commencement of clearing vegetation.
- Erosion control devices must be properly installed and inspected prior to commencement.
- Erosion control devices shall be kept in place and functional until all disturbed areas are permanently stabilized.

- Prevent the blowing of dust or sediment from this site by watering down ALL exposed and disturbed areas. Alternate forms of fugitive dust mitigation shall be readily available and used if watering is not sufficient.
- ALL areas that are to remain undisturbed shall be fenced off prior to the use of any heavy machinery on-site and shall remain fenced during the entire construction process.
- SWPPP Construction Entrance(s)/sediment track must be installed prior to commencement.
- No burying of trees or other organics on site.
- No burning is allowed on site.
- Clearing and grubbing shall consist of the removal of material such as trees, brush, roots, sod, stumps, and the residue of such.
- Clearing of sod and surface vegetation disturbance (other than trees and large brush) shall be limited to areas pre-approved by the City Engineer.
- There shall be no equipment on site designated or intended for the purpose of grading, other than as approved by the City Engineer.
- Only equipment that is strictly designated for the purpose of removing vegetation and debris will be allowed on site if no grading has been approved.
- Tree removal shall be conducted with small machinery (e.g. backhoe, skid steer, chain, come-along, chainsaw, etc.) to assist in tree removal, while minimizing disturbance of land not approved for clearing.
- Items designated as unsuitable materials and debris shall be removed to an environmentally suitable disposal site.
- Unsuitable materials including, but not limited to, organic and inorganic refuse, debris, waste, spoils, and unusable soils shall NOT be disposed of within the Project limits.
- Surface debris, trees, stumps, roots, organic matter, and other obstructions that can be chipped or broken down to an appropriate size and readily blended into the topsoil during final stabilization may remain within the Project limits at a designated location.
- Low-hanging branches from trees or shrubs designated to remain shall be pruned in accordance with ANSI A300 standards.
- Tree stump holes and other voids shall be backfilled and compacted.
- Approval for the removal, relocation, or preservation of existing significant trees is required prior to commencement of work.
- On-site mulching of vegetation is encouraged.
- Interim inspection required for erosion control.
- Final inspection is required.

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APPENDIX A - CITY OF SANTA FE SEQUENCE OF CONSTRUCTION (SOC)

FOR SUBDIVISIONS AND OFF-SITE IMPROVEMENTS FOR OTHER DEVELOPMENTS

PURPOSE AND INTENT

The Sequence of Construction (SOC) is included here to establish the standard sequence of construction practices for installation/construction of subdivision infrastructure improvements and enhance/enforce quality control inspections by the City of Santa Fe. An established sequence of construction assists both the City and the Contractor to ensure infrastructure is completed in a safe and effective manner. This sequence allows City staff to verify, approve, and track monthly pay requests to reduce the amount from the financial guarantee held by the City. Most of the inspections mentioned in this SOC appendix are standard, however, situations such as subdivision configurations on mountainous and difficult terrain, among others, sometimes require other inspections at different hours and seasons. It is the responsibility of the Contractor and Project Engineer to request any additional or unusual inspections from the City. Any deviations from this SOC shall be approved by the City Engineer in writing, before the construction sequence may be changed in the field.

As part of the pre-construction meeting documentation, a Construction Sequencing Planning document may be required and shall include the following as requested by City Engineer.

- Construction management team, field representation, and contact information
- Construction contact groups
- Contractor's Request for Information (RFI) and design professional's supplemental instructions (ASI) protocol for determining nature of any proposed changes that may affect City approval.
- Construction sequencing and logistics plan
- Construction means, methods, and alternatives outline
- Safety, access, and coordination procedure plans for inspections
- Quality assurance, material control, and testing plan
- Schedule management plan, work tasks, preliminary durations, precedencies/ dependencies and milestones, critical path
- Contractor's documentation protocol for change orders and required inspections and re-inspections
- Risk mitigation plan for sensitive and weather dependent installations
- Fugitive dust and debris mitigation and control plan
- Traffic Control Plan
- Cold Weather concrete placement plan

Sequence of Construction:

1. ACTIVITY: INSTALLATION OF SWPPP REQUIREMENTS (after Infrastructure Permits have been issued)

The City requires a temporary and a permanent SWPPP as part of the approved engineering plans. Best Management Practices (BMP's) include the use of silt fences (properly installed with 6" bury depth), waddles (not to be installed in critical flow areas), dirt berms, swales, check dams, ponding, erosion

control blankets, and similar erosion control measures. The SWPPP permit shall be clearly posted with a rainwater gauge at the site.

Clearing and grubbing is allowed during the installation of the measures and devices required as part of the SWPPP BMP's. See Section IV "Special Conditions" for further stipulations regarding clearing and grubbing practices.

INSPECTIONS: SWPPP Inspection. This is the first inspection required in the process. A temporary and permanent SWPPP is required as part of the City approved engineering plans. Once the proposed BMP measures have been installed per the approved engineering plans, the contractor or project engineer shall request an erosion control inspection (or a SWPPP Inspection) from the Land Use Department. When the erosion control measures are approved, the contractor may proceed with permitted grading and drainage. If this inspection is not approved, adjustments or modifications must be conducted and approved by City Staff before proceeding. It is the responsibility of the developer/contractor to schedule this inspection through the City's inspection system.

2. ACTIVITY: GRADING AND DRAINAGE: (after SWPPP Permit Inspection has been approved)

The contractor may commence construction of the proposed grading and drainage improvements per the City approved engineering plans. Grading and drainage includes the installation of some culverts and drainage structures, especially if they will be installed below proposed utilities.

It is important that rough grading of retention ponds starts as soon as possible, especially prior to the construction of impervious surfaces such as slabs, roofing, curb and gutter, and pavement. Installation of culverts and drainage structures require density test results. It is the responsibility of the contractor to schedule the testing labs to conduct the required testing and to advise the City inspector of these activities and test results.

INSPECTIONS: The City inspector will conduct regular inspections of subdivisions and developments. The City inspector will confirm there is an operable water truck at the site for dust control at all times while work is being conducted. Other operations to be inspected include but are not limited to: placement of culverts, cut slopes, fill slopes, trenching, backfilling of trenches, compaction of trenches, testing of backfilled trenches, cleaning existing drainage structures, rough grading, etc.

3. ACTIVITY: INSTALLATION OF SEWER LINE: (after rough grading has been completed)

The Contractor may commence installation of the sewer main with or without the installation of the individual services. Individual services may be installed after entire main line is installed. The sewer line must be installed according to the City approved engineering plans. Any changes or deviations must be approved by the City Engineer and/or the Wastewater Engineer as a change order. No work is to be conducted until the change order has been approved by the City.

The storm sewer may be installed prior to the sanitary sewer if it is proposed to be deeper than the sewer line. Sewer lines are required to be tested with service line stub-outs installed if stubs will be used.

When sewer services are installed under curb and gutter, a horizontal auger must be used to limit the size of the hole to protect the integrity of the curb and gutter. If an auger is not used, the entire section of curb and gutter between adjacent intact joints must be replaced if failure occurs.

INSPECTIONS: Sewer main installation inspections are conducted by the Wastewater Management Division. Sewer inspections include but are not limited to: shoring requirements based on depth of sewer line, water trucks for dust control/compaction, backfilling, density tests results, construction of manhole bases, construction of manhole concrete collars, videotaping completed sewer lines, air pressure tests, as-built plans, and coordination to allow placement of asphalt.

The main sewer line and main water line require a 10' minimum horizontal separation (usually shown on approved engineering plans). Density tests are required for the backfill of all sewer main and service line trenches. The test results shall be sent to the Wastewater Management Division inspector.

4. ACTIVITY: CONCRETE CURB AND GUTTER: (after grading and main sewer line has been installed)

The Contractor may commence installation of the concrete curb and gutter as per the approved engineering plans after the grading for the roadway is complete and the sewer main has been installed.

Placement of concrete during periods of cold weather requires a Cold Weather Concrete Placement Plan approved by the City Engineer.

INSPECTIONS: Prior to the placement of concrete for curb and gutter, density tests shall be performed by an independent testing lab hired by the Contractor/Developer. These tests will be reviewed by the City Inspector before authorization is granted to install concrete curb and gutter. The City Inspector and/or the testing laboratory technician shall confirm the subgrade is not loose, frozen, or wet and shall record placement temperature of the concrete. An independent testing laboratory shall take samples of the concrete for testing before the concrete is poured. The City Inspector may inspect concrete batch tickets at any time during the concrete pours.

The curb and gutter is inspected for defined flow-lines, workmanship, spacing/installation of expansion joints (3/4" wide, 30' to 40' spacing), honeycomb areas, and application of a curing compound. It is important to confirm the concrete curb and gutter is installed in conformance with the plans.

Sections of concrete curb and gutter for the drop inlets and radius curb returns are usually installed just before paving. Concrete fillets and valley gutters are sometimes installed after paving.

Note: Concrete shall not be placed if the mix time exceeds 90 minutes, as per NMDOT specifications. The independent testing laboratory technician may take 3-4 concrete cylinder samples and leave them at the site before picking them up for testing. (See General Notes on approved engineering plans for testing requirements). All testing results should be e-mailed to the City Inspector. Note: density or compaction tests are only good for 24 hours.

5. ACTIVITY: INSTALLATION OF WATER LINE(S) (after curb and gutter has been installed)

The Contractor may commence installation of the water main after a notice to proceed is issued by the Water Division. The main may be installed with or without installation of the individual services. The individual services can be installed after the entire main line is installed. The water line is to be installed as per the Water Division's approved water plan. Any changes or deviations shall be approved by the Water Division Engineer as a change order. No work is to be conducted until the Water Division Engineer has approved the change order.

When water services are installed under curb and gutter, a horizontal auger must be used to limit the size of the hole to protect the integrity of the curb and gutter. If an auger is not used, the entire section of curb and gutter between adjacent intact joints must be replaced if failure occurs.

INSPECTIONS: Water main installation inspections are conducted by the Water Division. These inspections include: fire hydrants, water valves (concrete collars), water meters, pressure relief valves (PRV's), water trucks for dust control, backfilling/compaction, density test results, as-built and coordination to allow placement of asphalt.

The water main and the sewer main require a 10' minimum horizontal separation (usually shown on the approved engineering plans). Irrigation lines may not cross any public water main. Density tests are required for the backfill of the water main and service line trenches Inspection results must also be sent to the City Inspector.

6. ACTIVITY: INSTALLATION OF CONDUITS AND SLEEVES FOR ROADWAY CROSSINGS OF DRY UTILITY AND IRRIGATION LINES (after wet utilities, dry utilities, and curb and gutter have been installed and inspected by the City)

The Contractor may commence installation of the conduit and sleeve crossings under the roadway. The General Contractor may sub-contract a dry utility specialist for this work as it entails coordination with all the dry utility companies. A dry utility specialist can also help obtain the first pave letters from the dry utility companies.

After the dry utilities have been installed, a letter for first paving can be issued by the dry utility companies. This letter is sometimes issued before all dry utilities have been installed. It can be issued after all the conduit crossings of the roadway have been installed.

INSPECTIONS: City inspectors will monitor the installation of conduits and sleeves for potential damage of water and sewer mains and service lines. The trenching is monitored carefully where the dry utilities are installed adjacent to or behind the curb and gutter and/or bar ditches. Open trenches adjacent to the curb and gutter are often left open for a period of time.

Density tests are required when the dry utility trenches are backfilled. This work should be completed before the subgrade preparation, base course installation, and asphalt paving is commenced in the roadways.

7. ACTIVITY: SUBGRADE PREPARATION AND BASECOURSE FOR ROADWAYS

The Contractor may commence subgrade preparation and basecourse for roadways after the curb and gutter has been installed and inspected. The Contractor will start grading the subgrade for placement of basecourse within the roadway. The Contractor must submit a gradation for the proposed basecourse, and the City needs to approve the type of proposed basecourse before any work may commence. Density tests are required on the subgrade before any basecourse can be placed.

INSPECTIONS: The most common depths of basecourse for roadways are 4" or 6", depending on the type of roadway, soils, and engineer's design. The City requires regular untreated basecourse as specified by the DOT. The City does not allow concrete basecourse (CBC) or Conphalt (concrete and asphalt basecourse) because these tend to lose compaction without constant moisture. The depth of basecourse is measured after compaction. Density tests are required on the basecourse before

placement of asphalt is authorized by the City. In addition, the City Inspector will inspect the curb and gutter and basecourse to confirm there is enough depth to install the asphalt at the required depth as per approved engineering plans.

Note: The City Inspector will also verify that the basecourse is not segregating and that the road section of a crown or a super elevation is in place prior to paving. Copies of all test results for the subgrade and the basecourse must be provided to the City Inspector prior to the release of payment from the financial guarantee.

8. ACTIVITY: PLACEMENT OF ASPHALT ON ROADWAYS

After the basecourse has been placed on the roadways, density tests shall be conducted prior to asphalt placement. Density tests are valid for 24 hours after testing. The Contractor or project engineer must submit an asphalt mix design to the City for approval. If the basecourse density tests pass and the City approves the mix design, the Contractor must commence placement of the asphalt within 24 hours of the density test.

INSPECTIONS: Asphalt is normally placed in two lifts, i.e. mats, depending on the depth of asphalt as designed by the engineer. Each lift is normally half of the entire lift of asphalt but is specified in the approved plans. Density tests are required for each lift of asphalt. The City Inspector will ensure the depth of asphalt for each lift by measuring at the lip of the curb and gutter. The City inspector will also confirm the road section of a crown or super elevatioe is being followed through on the asphalt. Be aware, different types of asphalt have qualities and issues for placement, depending on the size of aggregate. While the first lift of asphalt is being placed, the independent testing lab will take a sample of the asphalt and establish a rolling pattern with the roller operator. The City inspector will ensure the roller operator does not flatten the crown. After the asphalt has been placed, the City Inspector will inspect it for cracking, segregation of aggregates, abnormal holes or crevices, quality of asphalt, seams, crown/super elevations, cold joints, and depth along the lip of the curb and gutter. If there is insufficient depth for the second lift of asphalt at the lip of the gutter, the contractor must mill or grind asphalt before the City will allow placement of the second lift. Deficiencies to be repaired on the first lift of asphalt will be marked in bright spray paint by the City Inspector.

Prior to placement of a second lift of asphalt, the City Inspector will confirm all asphalt repairs have been completed before authorizing placement of the second lift of asphalt. Also, density test results on the first lift of asphalt shall be verified. A tack coat is required between the two lifts of asphalt if the asphalt is not kept clean and free of traffic, or if the time between placements of lifts is more than seven days. If required, the tack coat must be applied on the first lift of asphalt and the lip of the concrete curb and gutter.

After the second lift of asphalt has been placed, the asphalt will be inspected for any deficiencies as mentioned above. Minor deficiencies can be repaired by heating, re-rolling, and other processes. These repairs are also dependent on the time of year. The intent is to limit cuts/patches on the top or final mat of asphalt. For this reason, the City encourages one lift of asphalt to be placed prior to partial completion, and the second lift of asphalt to be placed after some period of time has passed to allow for necessary cuts and/or repairs prior to the final lift. Copies of test results for all lifts of asphalt must be submitted to the City prior to the City's release of funds from the financial guarantee.

9. ACTIVITY: IRRIGATION AND LANDSCAPING

Irrigation lines can be installed through the previously installed road crossing conduits after the first lift of asphalt has been placed.

INSPECTIONS: Irrigation lines will be inspected for trenching, compaction, and backflow prevention for compliance with code standards. Irrigation lines shall not cross public water mains.

The project landscaper shall not commence installation of vegetation until the water source is active and permitted. Mulch in planter areas shall be at least 2" below the back/top of curb and gutter. The City Inspector will confirm that all irrigation and landscape improvements have been installed prior to final acceptance/approval or the release of funds from the financial guarantee.

PRE-FINAL INSPECTION: A pre-final Inspection is conducted of all the proposed improvements. After this inspection is requested, the City Inspector will schedule a date and time with a representative from the contractor or the project engineer. A walk-through inspection will be conducted throughout the subdivision or development. As a result of this inspection, a pre-final punch list will be generated by the City Inspector. The pre-final punch list shall be addressed and completed within 30 days or another pre-final punch list may be generated.

FINAL INSPECTION: A final inspection is conducted after all deficiencies on the pre-final punch list have been repaired or addressed. If this inspection is requested past the allowed 30 days, a second pre-final inspection may be required. All the items on the pre-final punch list must be repaired or addressed to the satisfaction of the City Inspector before the final inspection will be approved. After the final inspection has been approved and the close-out packet has been submitted by the applicant, the City Engineer will issue a final acceptance letter for dedicated City infrastructure. If the project is a private development or subdivision, a final approval letter will be issued stating the project was constructed as per the City approved engineering plans.

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APPENDIX B – INSPECTIONS SUMMARY

List of Milestone Inspections for Residential Subdivision and Public and Quasi-Public improvements

Initial Inspections

1. Temporary and Permanent SWPPP Permit - Erosion and sediment control devices and measures installed

Partial Completion Inspections

1. Roadway curb and gutter installed and the first lift (mat) of asphalt placed
2. Emergency access routes in place with trenches backfilled
3. All curb and gutter or other drainage conveyance systems installed and functional
4. Other Punch List items predetermined by Engineering Division completed

Substantial Completion Inspections

1. All major terrain management must be completed as follows:
    - Regional ponding must be installed according to the approved construction documents;
    - Fill slopes steeper than 3:1 and cut slopes greater than 2:1 must be stabilized; and
    - Temporary erosion control measures must be maintained.
2. All striping and signage completed
3. All street lighting installed and functional
4. All sidewalks installed. If continuous sidewalk is not available due to active construction, “closed sidewalk” signage must be clearly posted

Pre-Final Inspections

1. Final stormwater management measures in place
2. Final site restoration and stabilization measures in place
3. Punch List items generated at Substantial Completion must be completed

Final Acceptance Inspections

1. All sidewalks installed per approved construction documents

11 Month Warranty Inspections

1. All previously inspected work will be re-inspected for failure or damage
2. Any required items that were missed on previous inspections may still be required.

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APPENDIX C – FINANCIAL GUARANTEES FOR PUBLIC AND QUASI-PUBLIC IMPROVEMENTS

Public and quasi-public improvements include "improvements with a life expectancy of ten or more years that will be used by the public or used in common by owners of lots within a subdivision, or used in common by owners or tenants of a commercial or multiple-family residential development". Public and quasi-public improvements include infrastructure, emergency access and fire suppression, terrain management improvements including revegetation and site restoration, storm drainage facilities and landscaping of common areas as determined by the land use director in accordance with written policies. Infrastructure that will be dedicated to the City or another government agency, to a public utility company or to an owners association is also included." SFCC Section 14-12.1.; *see also* SFCC Section 14-9.1(B) (including a non-exhaustive list of "public and quasi-public Infrastructure improvements").

Under SFCC Section 14-9.5(B)-(C), an applicant must either complete all public and quasi-public improvements before commencing other aspects of development or enter into an agreement to construct those improvements and provide the city with a financial guarantee covering the costs of such improvements. The amount of the financial guarantee must be based on a cost estimate prepared by a New Mexico licensed professional engineer or other qualified person, as approved by the Land Use Director. The cost estimate shall include an additional ten percent contingency; a five percent contingency is acceptable for nonprofit housing and economic development organizations approved by the Community Development Department, SFCC § 14-9.5(G). If the financial guarantee uses an out-of-state financial institution, an additional contingency fee is required to reflect potential costs of out-of-state legal action. SFCC § 14-9.5(C)(3). The financial guarantee may consist of a letter of credit, escrow, or other financial guarantee approved by the Land Use Director.

The list below describes the items that require a financial guarantee in greater detail.

Items considered public or quasi-public for residential projects include, but are not limited to:

- Work on any public road or road that will eventually be dedicated to the City, including sidewalks, cross walks, curb and gutter, bikeways, etc.;
- Utility work on any public road or road that will eventually be dedicated to the City;
- Work on any private road, which is required to provide emergency access for City responders, comply with ADA standards, etc.;
- All utility work, except lighting, on any private road;
- Parking areas for more than one single family residence;
- Water mains, service lines, and associated appurtenances (hydrants, valves);
- Sewer line laterals and mains, manholes, and all associated work items (up to the ROW);
- Force mains, grinder pumps, pump stations, and lift stations;
- Drainage structures, ponds, culverts, storm sewer pipes, gabions, rip-rap, valley gutters, fillets, and all earthwork required for construction of these items;
- All earthwork;
- Erosion control structures (temporary and long term);
- SWPPP monitoring and maintenance;
- Landscaping and irrigation required for development;
- Revegetation;
- Site restoration;
- Retaining walls within a multi-family development, subdivision project, or within a ROW;

- Sidewalks within a multi-family development, subdivision project, or within a ROW;
- Curb and gutter within a multi-family development, subdivision project, or within a ROW;
- Signage, striping, street lighting, and traffic signals within a multi-family development, subdivision project, or within a ROW;
- Traffic controls;
- Control monuments;
- Preparation and submittal of as-built conditions drawn onto the City's filed Mylar plans.; and
- Construction staking, material testing, construction management, and engineering.

Items considered public or quasi-public for commercial projects include all items listed for residential projects and the following additional items:

- All public utilities, both on-site and off-site;
- All stormwater infrastructure including but not limited to drainage structures, ponds, culverts, storm sewer pipes, gabions, rip-rap, valley gutters, fillets, and all earthwork required for construction of these items; and
- Retaining walls within a ROW or required for drainage conveyance.

SFCC Subsection 14-9.1(B) - Applicability

All developments approved pursuant to the provisions of Chapter 14 must dedicate land and easements, and must construct, or provide funding for the city to construct, the public and quasi-public infrastructure improvements required by Chapter 14 to address effects on existing and new infrastructure that serves the new development, including:

(1) fire hydrants, fire lanes, emergency access roads and access gates as required by Chapter 12 SFCC 1987 (Fire Prevention and Protection);
(2) streets , curbs, gutters, sidewalks, signing, striping, traffic control devices and street lighting consistent with the standards in this article and Chapter 23 SFCC 1987 (Streets, Sidewalks and Public Places);
(3) grading and retaining walls within the right-of-way and adjacent to the right-of-way ;
(4) fences, walls and landscaping required for screening facilities from public view as required by Articles 14-7 (Building Envelope and Open Space Standards and Measurements) and 14-8 (Development and Design Standards);
(5) solid waste enclosures required by Section 21-4 SFCC 1987 (Refuse Collection);
(6) landscaping, irrigation and other improvements to common open space required by Articles 14-7 and 14-8;
(7) drainage or other facilities necessary to comply with Sections 14-8.2 (Terrain and Stormwater Management) and 14-8.3 (Flood Regulations) and Chapter 13 SFCC 1987 (Stormwater Utility);
(8) connections to and extensions of sewer mains as provided in Chapter 22 SFCC 1987 (Sewers) (Improvements to existing downstream sewer lines serving a new development may also be required as determined by the Wastewater Management Division.);
(9) connections to and extensions of water mains as provided in Chapter 25 SFCC 1987 (Water);
(10) parks, trails and other facilities required by Section 14-8.15 (Dedication and Development of Land for Parks, Open Space, Trails and Recreational Facilities);
(11) other required utilities, including natural gas and electricity; and
(12) other improvements determined to be necessary in accordance with written policies of the land use director.