



REQUIRED TERMS FOR CONSTRUCTION OF IMPROVEMENTS AND RETENTION OF QUALIFIED DESIGN PROFESSIONALS

ARTICLE I. Acknowledgment of Obligation to Construct Required Improvements

[Insert name of developer ("Developer") hereby acknowledges that the development commonly known as _____; identified as Mason County assessor parcel number(s) _____; having City of Shelton Land Use Planning file number _____; includes, as a condition of approval, the construction of certain public and private improvements to serve said development and that said construction is regulated by Shelton Design and Construction Standards and the Shelton Municipal Code, including any amendments or supplements. Developer further acknowledges that it is developer's obligation to cause said improvements to be designed and constructed in accordance with all special conditions, permits and approvals from the City and other State, County, or local agencies or jurisdictions with authority over the proposed work.

ARTICLE II. Retainage of Design Professional(s) and Contractor(s)

Developer shall retain design professionals and contractors appropriately licensed and skilled to design and construct the development. Design professionals shall include, as the circumstances require, civil engineers, environmental engineers, structural engineers, traffic engineers, registered geologists, lighting professionals, wetland consultants, licensed arborists, architects, landscape architects, registered land surveyors, or other professionals as required for the specific development proposal. Developer shall retain only registered professional engineers with specialties in civil, environmental, structural, and/or traffic engineering, as appropriate to their respective expertise, to perform primary design and construction inspection activities of improvements to be publicly-owned and maintained.

To ensure coordination of design of the development and to facilitate efficient communication with the City, the Developer has retained:

Name

Discipline and Registration #

Company

Email

The above-referenced company is a professional engineer, engineering firm, or other design professional, registered and licensed to practice in the State of Washington, who shall serve as **Coordinating Design Professional**, with duties as listed in Article III below, to provide developer with engineering services during the design and construction of all public improvements. If there is only one design professional responsible for preparing and submitting the entire project plan

set to the City for review and approval, the design professional is automatically considered as the project's **Coordinating Design Professional**.

If an engineer, engineering firm, or any other design professional providing services is dismissed, or otherwise stops providing developer with on-going, required services, the developer shall promptly notify the City Engineer and retain a replacement. Under such circumstances, the City may, at its sole discretion, order work in progress to stop. As a condition to the resumption of work, the replacement engineer, engineering firm or design professional shall attend a project orientation meeting with the City and may be required to submit documentation and other relevant information as deemed necessary by the City Engineer.

ARTICLE III. Scope of Professional Services

The scope of work provided by any engineer, engineering firm, or other design professional hired by developer to work on the project shall include, at a minimum, the following items, and responsibilities as applicable:

1. Each design professional shall prepare construction plans and drawings, specifications, reports, test results, and cost estimates, professionally sealed in accordance with the requirements of the City Engineer, City standards, specifications and any special conditions imposed by the City Community Development Director, City Building Official, Hearings Officer, and other State, County, local agencies, or jurisdictions with authority over the proposed work. Reference City of Shelton Engineering Design and Construction Standards and The Shelton Municipal Code.
2. The design professional shall stamp/seal every plan sheet the design professional is responsible for preparing and submitting to the City for official review.
3. For documents and individual plan sheets that incorporate the work of more than one design professional, each design professional shall clearly delineate the elements for which each is responsible and shall professionally stamp/seal the plan sheet(s) as required.
4. If the overall project plan set contains individual plan sheets from more than one design professional for submittal to the City (e.g., architect, traffic engineer, structural engineer, lighting professional, landscape architect, etc.), the developer shall appoint the above Coordinating Design Professional to prepare a plan set cover sheet and shall be responsible for compiling all plan set contents and resolving any plan conflicts among the various contributing disciplines, and manage the City review comments and resubmittals with each design professional.
5. If other professional disciplines must be consulted only (in other words, not producing separate plan sheets) to prepare a plan set submitted to the City, the Coordinating Design Professional shall receive the consultant's calculations, reports, and recommendations and shall provide them to the City with their plan submittal. The City may ask consultants to a design professional to confirm in writing that the plans submitted by the design professional to the City sufficiently incorporate the consultants' recommendations.
6. The Coordinating Design Professional shall participate in the arrangements for and observation of all site surveying, grading and construction staking relating to the required improvements. The design professional shall provide the City Engineer with copies of survey field notes, if requested.
7. Unless otherwise approved by the City Engineer, the developer/owner and all involved design professionals shall attend a pre-construction conference with the City and the site work contractor(s). Design professionals shall attend other inspection or oversight visits that

may be required by the City or other regulatory entities and government agencies. Each design professional that prepares and seals a plan sheet must make a post-construction site visit and sign the City Completion Certification Letter.

8. The Coordinating Design Professional shall provide regular engineering and inspection services during the construction of all public improvements to ensure that the proposed improvements are constructed per the engineered design and City Standards. Frequency and duration of inspection all design professional visits shall be sufficient to permit the design professional(s) to: 1) seal/stamp the plans "As-Built" for the public improvements and; 2) provide record drawings for the site grading, street, storm drainage, sanitary sewer, and waterworks improvements, and other required private improvements and; 3) provide the City with a City Standard Completion Certification letter.
9. The Coordinating Design Professional shall be responsible for obtaining the information and signatures needed from all involved design professionals to complete the City Standard Certification letter. Following completion of construction, and prior to the City's releasing the performance bond, the "As-Built"/record drawings and data shall be provided to the City, per City standard. Each sheet of the drawings shall be stamped "As-built"/record drawing as appropriate, signed, and dated by the applicable design professional(s).
10. The Coordinating Design Professional shall request and obtain written authorization from the City Engineer or his designee before construction either deviates from the approved plans or uses any materials or products not specified in the plans. Requests to deviate from approved plans or to use unauthorized materials must be prepared and submitted by the appropriate design professional with a written explanation of the circumstances requiring the change.
11. The Coordinating Design Professional is the **primary contact** between the City, the Developer, property owners, site works contractor, subcontractors, other agencies, and other design professionals. All communication with the City such as emails, phone calls, and meetings, will be through the Coordinating Design Professional.
12. All project participants, including but not limited to City staff, design professionals, development team members, owners, investors, contractors, suppliers, shall refrain from unacceptable behaviors such as continual use of foul language, insulting or derogatory comments, intimidation tactics, outbursts of anger, or other conduct that could reasonably be considered inappropriate in a professional setting. Violations of this section shall be subject to the enforcement provisions in Article V, a requirement for the Developer to replace any individuals who have violated this Section, and/or other remedies available to the City.

ARTICLE IV. Completion of Project.

The Developer acknowledges that a "complete project" is one in which:

1. All public and site development improvements have been completed, have passed a final inspection, and all "punch list" items have been corrected.
2. All special conditions imposed by the City or other State, County, or local agencies with authority over the proposed improvements are satisfied with completed improvements and acceptable by each applicable authority, agency, and jurisdiction. Any outstanding fees, easements, financial securities, and construction maintenance guarantees have been paid, submitted, and provided, as applicable, in a form acceptable to the City and other

The undersigned other design professional(s) acknowledge(s) that he or she has been retained by developer to perform professional services that include, at a minimum, those services listed above in Article III in the required scope of services as appropriate: (Attach additional copies of this page as needed for all design professionals involved, signed in "wet-ink" by the developer, coordinating design professional, and additional design professionals with the project.)

Name

Discipline and Registration #

Company Email

Signature Date

Name

Discipline and Registration #

Company Email

Signature Date