



Bexar County Public Works Department
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EXTENDED WARRANTY BOND PROCEDURES

For Subdivision Streets & Drains in the ETJ

(Updated: October 10, 2011 to reflect UDC changes effective January 1, 2011)

These procedures are only applicable to subdivision units with streets and/or drains to be dedicated to the public and maintained by Bexar County Public Works.

In accordance with Section 35-501(h) of the Unified Development Code, Bexar County will require an Extended Warranty Bond as part of the process for approving street and drain construction in a subdivision unit. The bond will equal 10% of the construction estimate or \$25,000 whichever is greater as determined by the Development Services Division of Bexar County Public Works ("Development Services") at the time the plat is initially submitted for review. The purpose of the bond is to cover the cost of correcting deficiencies not addressed by the developer during the warranty period.

Step 1. Determining the Extended Warranty Bond Amount. During the plat submittal review process, Development Services will verify and approve the Warranty Bond estimate for all streets and drains within the proposed unit using:

- a) The Extended Warranty Bond Estimate spreadsheet available on the Bexar County website under the heading "Engineering Resources" after clicking on "Subdivisions" at: <http://inf.bexar.org/infraBusiness.asp>; and
- b) The City of San Antonio's Average Unit Price List, Technical Services tab at: <http://www.sanantonio.gov/TCI/Current-Vendor-Resources/Unit-Price-List>.
- c) The Bond amount will need to be re-evaluated if more than 18 months has passed from the time of the estimate review to the time of providing the bond to the County (**Step 2**).

Step 2. Submitting the Bond to the County. Before requesting a final inspection of the streets and drains of a subdivision unit, the developer must provide Development Services with a bond equal to amount determined in **Step 1** (the "Bond"). The Bond must be for a period of 18 months and is a financial guarantee in the form of a bond, letter of credit, or trust agreement executed by a surety company authorized to do business in the State of Texas, or a cashier's check or cash. The Bond must be payable to the Bexar County Judge, conditioned that the developer will maintain the streets and drains in the subdivision unit in accordance with Unified Development Code for the term of the Bond. Sample forms are posted on our website under the heading "Warranty Bond" after clicking on "Subdivisions" at <http://inf.bexar.org/infraBusiness.asp>.

Step 3. Warranty Period. After both the street and drain construction passes the final inspection and the plat is recorded, the one year warranty period will begin. The one-year warranty period will start either on the date the plat is recorded or the date the streets and drains pass the final inspection, whichever is later. There will be no separate warranty period start dates for streets and drains within a single unit.

Step 4. Follow-up Inspections. Bexar County will conduct a follow-up inspection within the tenth month of the warranty period but in no event any later than two months prior to the Bond expiring. The Inspector will issue a punch list of deficiencies that will be sent to the developer, engineer and contractor for the unit. If no deficiencies are found, acceptance of the streets and drains and release of the Bond will proceed as set out in **Step 8** below.

Step 5. Correcting Deficiencies. Notify the Bexar County Inspector at least 24 hours before correcting a deficiency. Upon notification by the developer that all deficiencies have been corrected, the Bexar County Inspector will verify compliance.

Step 6. Calling in the Bond. If the developer does not contact Bexar County and the deficiencies have not been corrected by the end of the 11th month or 1 month prior to the expiration of the Bond, Bexar County will prepare an estimate and list of work to be done to bring the streets and drains into compliance. Bexar County will contact the bonding agency to submit the cost estimates for correcting the deficiencies.

Step 7. Requesting Commissioner Court Acceptance. Once all deficiencies have been corrected, Development Services will prepare the paperwork to have the streets and/or drains within the unit accepted for maintenance by Bexar County Commissioners Court.

Step 8. Release of Bond. The Bond will be released once Commissioners Court has accepted the streets and drains for maintenance and an acceptance letter has been written by the County Engineer. No partial release of the Bond will be allowed at any time.

Additional Notes:

An Extended Warranty Bond will be required for any unit with streets and/or drains that have not passed the final inspection prior to May 1, 2010.

Bexar County will require revised estimates from the engineer of record based on the Extended Warranty Bond spreadsheet.

Private streets and drains within a PUD or Enclave are not subject to these requirements. PUDs or Enclaves requesting to convert the streets and/or drains from private to public will be evaluated on a case-by-case basis to determine if any of these procedures will be applied.