

1.2.1 Fiscal Surety

1.2.1.1 Fiscal Surety Calculations.

A. Fiscal surety required by the City in conjunction with proposed development projects (subdivision, site plan, or other construction project) shall be calculated in accordance with applicable city policies. For fiscal surety required by LDC 25-7-65 for installing and maintaining erosion and sedimentation controls throughout construction on the site, revegetating the site, performing on-site and off-site cleanup, and remedying any erosion damage that results from development authorized by the site plan.

the calculations are based on the total area within the Limits of Construction and may be prepared using one of three methods:

1. Based on unit cost determined by the City.
2. Based on a current contract or.
3. Determined by a consulting engineer.

Revegetation costs shall be based on placing topsoil, grading, hydromulching/seeding, watering, and include the cost to the City for administering the contract. The hydromulch and revegetation quantity shall equal the entire Limit of Construction, excluding only those areas of existing impervious cover not proposed to be demolished. The calculations are subject to review and approval by the Director.

B. **Method 1** - Unit costs used in estimating construction costs for calculating fiscal requirements shall be as determined by the Director of the Department of Public Works. The Austin Public Works Construction Index (based upon unit prices taken from contracts issued by the City) shall be used to determine the latest rates for construction costs. A list of these unit costs shall be available in the offices of ~~Watershed Protection and~~ the Planning and Development Review Department and the Department of Public Works. Unit costs used in calculating erosion/sedimentation control costs shall be as determined by the Director of the Planning and Development Review Department. The Erosion and Sedimentation Control costs will be for permanent (i.e. revegetation) and temporary controls and clean-up of fugitive sediment. Refer to Appendix S--1 for unit costs. The fiscal surety for site clean-up of fugitive sediment is required for sites disturbing more than one acre. The estimate :

- shall include, at minimum, the date, name of the development, site plan or construction plan number, and
- shall be sealed by the professional engineer.

~~Hydromulch and revegetation costs shall be based on placing topsoil, grading, hydromulching, watering, reseeding (if necessary), and City costs for administering the contract.~~ New unit costs

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for these items may be posted effective January 1st, April 1st, July 1st, or October 1st each year. The posting of these rates shall not constitute a rules change.

C. **Method 2** – This method may only be used if the City of Austin is a party to the current contract. The contract for the work required for the project may be used to determine the posting amount. In this case the contract amount plus ten percent shall be the required posting.

D. **Method 3** - An estimate prepared and certified by a professional engineer may be submitted to the City as a calculation of the fiscal requirement . The engineer must be experienced in design and construction of public streets, drainage systems, utilities, and/or sitework and construction estimating. The estimate: ~~should be based on recent contracts for similar work in the area.~~

- shall be based on three (3) recent contracts or bids for similar work in the area or three (3) bids submitted by the professional engineer;
- shall use items in the ECM, Appendix S-1;
- shall include, at minimum, the date, name of the development, site plan or construction plan number;
- shall include the three (3) contracts or bids as attachments;
- shall be sealed by the professional engineer;
- must be reviewed and approved by the Planning and Development Review Department

E. ~~The calculation may be prepared by or reviewed and approved by the Director (or his designee) on behalf of other City departments.~~