

Developer cannot issue the Notice to Proceed, and construction cannot begin until the DPC contract is countersigned by the City Controller or the DPC will be terminated.

### 1.00 Phase I – Initial submittal

Prior to commencing the construction of the project, the Developer shall deliver to the City of the following:

- 1.01 Developer Participation Contract (two originals, one copy) containing the following information:
  - The full name and address of the developer (Page #1 - See 4.00 Guidelines for Legal Name of Developer and Execution by Developer)
  - The description of the project (Page #2)
  - The City's contribution amount under this contract (Page #2 & #17 or #14 or #13)
  - Authorized signatures (Page #4)
  - Current City Bond interest rate (Page #6 of 70%DPC)
- 1.02 Certificate of Incorporation, Joint Venture, Partnership, etc.
- 1.03 City's Performance Bond, Payment Bond, One-year Maintenance Bond and One-year Surface Restoration Bond (two originals and one copy)
- 1.03a Certificates of Insurance
- 1.04 Company vendor number. If you are first time to enter an agreement with the City, please register your company at <http://purchasing.houstontx.gov/>. Call the Supplier Registration office at 832-393-8800 for assistance.
- 1.04a Letter from IRS showing tax I.D. Number
- 1.05 Notarized the Affidavit of Ownership or Control. (one original)
- 1.05a City of Houston Acknowledgement Form (one original)
- 1.06 Water and/or wastewater capacity reservation letters
- 1.07 Proof that the Developer has acquired all lands and right-of-way necessary for construction
- 1.07a Final CPC 101 Form with copy of Preliminary Plat no larger than 8 ½ by 11, or copy of Final Plat
- 1.07b Vicinity map 8 ½ by 11 (one copy)
- 1.08 Copy of a one line drawing showing the streets, lots and utility lines. This drawing must show surrounding streets to identify the subdivision location for 70%DPC
- 1.09 Copy of the project drawings approved by the OCE no larger than 8 ½ by 11
- 1.10 Three (3) informal itemized bidding documents showing the bid cost for the project (one copy)
- 1.11 Cost Allocation Requested Calculation
- 1.12 Exhibit A – A narrative describing of the project includes lines to be built. For 70%DPC includes the legal description of the property.
- 1.13 Exhibit B – Request for Reimbursement of Eligible Storm Sewer Drainage Costs
- 1.14 Application Fee and Administration Fee – See the City Fee Schedule on the web link: [http://cohweb.houstontx.gov/FIN\\_FeeSchedule/default.aspx](http://cohweb.houstontx.gov/FIN_FeeSchedule/default.aspx).

*Note – Construction of any item listed in the itemized construction bid proposal without permit(s) & notice to proceed will void the Contract.*

- End of Phase I

## **2.00 Phase II – Construction**

Developer shall apply/notify and provide reasonable documents for the Department of Houston Public Works, the Taps and Meters and the Office of City Engineer for the following events:

- 2.01 Obtain Permits required to construct the Project.
- 2.02 Notice to Proceed
- 2.03 Completion of the Project such that it is ready for inspection by the City

- End of Phase II

## **3.00 Phase III – Reimbursement**

Within 30 days of the Public Works Engineer's final inspection and approval of the Project for 70%, 50%, 30%DPCs, and once at least 25% of the single family residences have been constructed for 70%DPC, Developer shall provide the following:

- 3.01 Invoice from the Developer to the City for payment of amount owed under this Participation Contract (one original)
- 3.02 City of Houston Form – Certificate of Final Completion (one copy)
- 3.03 Acceptance letter (one copy)
- 3.04 City of Houston Form – Certificate of Payment to Subcontractors and Suppliers signed by Developer and notarized (one original)
- 3.05 Provide records and vouchers for allowable cost of water and/or sanitary sewer and/or storm sewer lines and appurtenances (itemized invoices signed by Contractor and/or Engineer, and copies of Owner's payment check(s) to contractor and/or engineer)
- 3.06 If applicable, all documents necessary to vest title to the Project to the City free and clear of any encumbrances as required by the City Legal Department (easement grants, etc.)
- 3.07 If applicable, Recorded Plats of the Project (one copy)
- 3.08 Notice to Proceed
- 3.09 Permit to construct the utility lines
- 3.10 Final "As-built" plan and profile signed & stamped by contractor

- End of Phase III

#### **4.00 Guidelines for Legal Name of Developer and Execution by Developer**

- 4.01 Developer is a Natural Person:
  - Correct full legal name
  - Do not use assumed names without submitting a copy of the Assumed Name Certificate. When using assumed name, always give real name as well assumed name: Example: John Doe, d.b.a. Home Builder Enterprises
  - Must be signed by the natural person that is a party to the contract. No attestation necessary
  
- 4.02 Developer is a Corporation:
  - Name should end with Inc., Co., Corp., Corporation, or Company
  - Do not use assumed names without submitting a copy of the Assumed Name Certificate.
  - Generally should be executed by President or Vice-President. If not executed by President or Vice-President there must be a corporate resolution authorizing the agent to sign (submit copy of resolution)
  - Attestation by Corporate Secretary or Assistant Corporate Secretary. Corporate seal (if any) must be impressed on Attestation. Name on corporate seal must match the name of Corporation on the contract.
  
- 4.03 Developer is a Joint Venture or Partnership:
  - Full name of partnership. Do not use assumed names without submitting a copy of the Assumed Name Certificate.
  - May be signed by any partner. No attestation necessary if partner is a natural person. If partner is a corporation, signature is the same as for a corporation.
  - Copy of Joint Venture Certificate or Partnership Agreement.