

**Ketchum Public Works Authority
Development Process, Policy, and Procedures**

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This document is intended to be used as a guide by the Developer and his/her Engineer to assist them with the development process requirements of the Ketchum Public Works Authority’s (KPWA). The KPWA development process and the procedures described herein are not intended to be all inclusive. The development process, including more specific requirements, may be identified based on the characteristics of the proposed development. Please refer to the KPWA’s most current Specifications document for Water and Sewer Materials and Construction.

Development Process

Preliminary Phase

Developer submits a written request to the KPWA for consideration of water and/or sewer service. The written request must include a Site Plan showing the location of the proposed development along with a description of the water and/or sewer service needs being requested. Water service needs shall include any and/or all regulatory fire flow requirements. Sanitary sewer service needs shall include a characteristic description of the waste stream along with the anticipated volume and diurnal pattern.

The KPWA will review the written request and determine if service is possible. The KPWA will also identify the scope of the water and/or sanitary sewer system infrastructure necessary to properly service the proposed development.

Note: The KPWA will not prepare or otherwise provide an estimate of probable cost for the water and/or sanitary sewer infrastructure necessary to service the proposed development.

When necessary, the KPWA will perform a hydraulic review of the existing and proposed water and/or sanitary sewer infrastructure to ascertain the capacity of the system to meet the needs of the proposed development.

The KPWA will subsequently meet with the Developer to discuss the requirements of the project. The Developer will summarize and document the meeting discussions and provide a copy to the KPWA for review, comment and approve.

Developer may be requested to make an informational presentation to the KPWA Board of Trustees on the proposed development.

The Developer is required to enter into a Developers Agreement with the KPWA outlining the development requirements. The Developers Agreement must be signed by the KPWA Business Manager.

Design Phase

The Developer will retain the services of a licensed professional engineer in the State of Oklahoma. The professional engineer will be responsible for developing water and/or sanitary sewer line plans to meet the scope of infrastructure needs for the proposed development. The plans must be prepared in accordance with KPWA and Oklahoma Department of Environmental Quality (ODEQ) requirements. The plans must be submitted to the KPWA for review and approval.

Note: The KPWA will not make recommendations to the Developer regarding a licensed professional engineer.

The developer, and/or engineer, will perform required property research to identify any and/or all existing water line and/or sanitary sewer line easements through to and including the point of connection with the existing water and/or sanitary sewer lines. Any new easements that are required will be prepared by the engineer on an approved KPWA easement form. All new easements shall each include an exhibit that depicts the proposed easement area across each impacted property.

The plan submittal will include the following:

1. Two (2) sets of water and/or sanitary sewer improvement plans.
2. Engineer's estimate of probable construction cost.
3. Plat and Plat Language, where applicable.
4. Easements, Existing and Proposed.
5. County Road Crossing Permits, where applicable.
6. ODEQ Permit Application and Engineering Report Forms

The KPWA will review plans and other submittal documents for conformity to KPWA conditions and provide comments on corrections that must be made. The KPWA will return one (1) set of plans with redline corrections.

The Engineer must make the necessary corrections and resubmit two (2) sets of revised plans and estimate of probable construction cost. The review process will continue until all corrections are made to the satisfaction of the KPWA.

Upon successful completion of all corrections, the KPWA Business Manager will sign and have notarized the ODEQ Permit Application. The ODEQ Permit Application will be returned to the engineer for transmittal to the ODEQ. The Developer will be responsible for paying all Permitting fees.

Construction Phase

The Developer shall provide the KPWA with two (2) sets of final approved plans and related documents following receipt of all required permits.

The Developer shall provide material submittals for all materials that will be used during construction. The KPWA will review and comment on material submittals. Comments will be returned to the Developer and a resubmittal will be required. The review process will continue until the KPWA approves all material submittals.

The Developer will provide a qualifications statement for the utility construction contractor they will be using. The construction contractor must demonstrate that they are capable to performing the required work.

The Developer will coordinate and participate in a Pre-Construction Conference. The construction contractor shall identify the construction foreman and contact information shall be exchanged.

The construction contractor shall complete construction staking before any work proceeds.

The KPWA inspector shall observe staking and installation of water and/or sewer facilities.

The construction contractor shall perform all flushing, pressure testing and disinfection. All testing shall be done in the presence of the KPWA inspector. The contractor shall provide adequate sample collection points for bac-t samples. The KPWA will be responsible for collecting the bac-t samples and getting them tested by an approved lab. The water line will not be put into service until it passes the regulatory mandated bac-t testing requirements.

The KPWA will construct all service connections (e.g., service saddle, corporation stop, service line, water meter and related appurtenances). The construction contractor will be responsible for all long service line materials (i.e., casing pipe) and construction of bores. The construction contractor will be responsible for all water service line downstream of the water meter.

The construction contractor shall properly document all changes made during construction. The construction contractor shall provide a two (2) redline sets of drawings depicting changes. One (1) set shall be provided to the KPWA and the other to the design engineer.

The engineer shall prepare “As-Built” drawings and provide one (1) paper copy and one (1) electronic copy in PDF format to the KPWA.

DEVELOPERS AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 20____ by and between KETCHUM PUBLIC WORKS AUTHORITY, CRAIG COUNTY, OKLAHOMA, A PUBLIC TRUST, party of the first part, hereinafter referred to as the KPWA, and party of the second part hereinafter referred to as Developers.

WITNESSETH:

WHEREAS, Developers are the promoters and subdividers of the following described property:

(See attached Exhibit A" incorporated herein by reference)

all of which lies within the service boundaries of the KPWA; and,

WHEREAS, Developers desire to obtain an extension of the water distribution and/or sewer collection system to service lots therein for the purpose of making an orderly development of said subdivision for residential purposes and,

WHEREAS, The KPWA is willing to extend its service to said subdivision for the purpose of servicing the _____ lots in this agreement, and subject also to the performance on the part of the Developers of the pre-requisite condition on their part to be performed as hereinafter expressly defined.

NOW THEREFORE, in consideration of the premises, and the mutual promises of the parties hereto, it is agreed by and between the KPWA and the Developers as follows:

1. THE KPWA's AGREEMENT to extend its water and/or sanitary sewer services (hereinafter referred to as "utility services") to said subdivision shall be conditioned upon receipt by the KPWA of a written feasibility report from its engineers, evidencing that the KPWA's existing system is adequate to provide the utility service needs of the proposed subdivision, it being expressly understood by and between the parties, the KPWA shall not be obligated to provide utility service until each individual applicant for a service connection (i.e., water or sanitary sewer tap) has been approved by the Board of Directors in their sole discretion and compliance with laws of the State of Oklahoma, State DEQ, Rules and Regulations and By-Laws of the KPWA. It is further expressly understood by and between the parties, that the KPWA shall not be obligated to extend its utility services beyond the proposed subdivision to any other subdivision or future development undertaken by the Developers.

2. DEVELOPERS SHALL provide the KPWA with at least five (5) copies of a right of way map, one (1) copy of recorded plat signed by the county commissioners and one (1) CD or thumb drive showing location of all water and/or sanitary sewer lines, line sizes, and type of pipes, and the location of the sites by the engineers for the KPWA.

3. DEVELOPERS shall construct a domestic water distribution system and/or sanitary sewer collection system including the necessary appurtenances within the subdivision conforming, as a minimum, to the standards and specifications governing the construction of the existing water and/or wastewater system of the KPWA (heretofore prepared by KPWA's engineer), and identified as the original construction plans and all supplemental designs, plans and specifications prepared for the Developers by a qualified engineer for this subdivision which meets the requirements of the KPWA and State DEQ. Installation and testing of the system shall be subject to inspection by an employee or designated agent of the KPWA. All legal, engineering, inspection, installation, and testing costs shall be borne by the Developers.

(Sec attachment "B" incorporated herein by reference).

4. IT IS EXPRESSLY UNDERSTOOD by and between the parties that no pressure pumps shall be used in the withdrawal of water from any fire hydrant which may be installed, or part of the system.

5. DEVELOPERS will upon completion and satisfactory testing of the installation assign the system within the subdivision to the KPWA for its operation and maintenance. All easements and rights of way necessary for the extension of the KPWA's system to and within the subdivision shall be provided or obtained by the Developers and shall run in favor of the KPWA, Craig County, Oklahoma. Developer shall likewise provide perpetual easements or fee title in favor of the KPWA on all tracts or areas on which any tanks or pump station or similar facilities may be constructed. Developers shall submit to the KPWA for examination and approval all required easements and rights of way and shall provide such evidence of good title to all perpetual easements and fee titles as shall be required by the KPWA.

6. CONSTRUCTION and installation of the system by the Developers shall be subject to final approval by the KPWA and Oklahoma State DEQ before assignment and conveyance of the water and/or sewer system is accepted. Developers shall provide a maintenance bond which shall run in favor of the KPWA, and which shall be effective upon acceptance of the facility and for a period of one (1) year thereafter. The KPWA, by acceptance of said facilities, shall not be deemed to have assumed any pre-existing liability or obligations imposed upon or assumed by the developers, or any third parties, in connection with the construction and maintenance of said facilities. It is expressly understood by and between the parties that the KPWA will not assume ownership, maintenance or liability for any amenities constructed by the Developers in the subdivision such as a clubhouse, swimming, or wading pool.

7. DEVELOPERS WILL convey and assign to the KPWA a good title to said water and/or sewer system and all extensions and facilities appurtenant thereto, and any fee title and perpetual easements in a manner acceptable to the KPWA. Developers will provide the KPWA with evidence that all costs of construction, extensions and appurtenances have been fully paid and will further provide a statement of the total costs of such facilities.

8. UPON FINAL APPROVAL and acceptance of the water and/or sewer systems by the KPWA and Oklahoma State DEQ, the KPWA agrees, if water and/or sewer service is available to serve all or part of the subdivision without impairing service to the KPWA's existing customers, to deliver water and/or sewer service from its existing systems to the subdivision and to assume the operation and maintenance thereof. Such service shall be provided to the landowners within the subdivision, the KPWA will approve such applications and issue to the applicant a service tap(s) at the established costs, and thereupon shall install a water meter and/or sewer tap. It shall be the responsibility of the landowner to extend water service from the water meter and/or sewer service from the service connection without cost to the KPWA.

IN WITNESS WHEREOF, party of the first part has affixed its signature and corporate seal and parties of the second part and year first above mentioned.

PARTY OF THE FIRST PART

KETCHUM PUBLIC WORKS AUTHORITY

CRAIG COUNTY, OKLAHOMA

BY: _____
Business Manager

ATTEST:

Secretary (clerk)

PARTY OF THE SECOND PART

By: _____