

CONTRACT ROUTING FORM

1. Complete the information below BEFORE printing and completing items 2 through 7. Items in red are required.

Department: Planning Department

Department contract file name (use effective date): Fearrington Sec. X Millcroft Extension_Planning_20240431

Project Code: Click here to enter text.

Contract type: Contract

Contracted Services/Goods: Financial Guarantee for Infrastructure

Contract Component: Payment and Performance Bond

Change Order Number/Addendum Number: Click here to enter text.

Vendor Name: Fitch Creations, Inc.

Effective Date: 04/31/2024

Approved by: County Manager

Date approved by the BOC: Click here to enter text.

Ending Date: 12/26/2025

Total Amount: Financial Guarantee - \$11,875.00 CHECK

Please Return Contract to:

Name: Hunter Glenn

Email: hunter.glenn@chathamcountync.gov

Special Instructions for Clerks Office:

2. Department Head or his/her designee has read the contract in its entirety.

By: Jan Sule (Department Head signature required)

3. County Attorney has reviewed and approved the contract

County Attorney has reviewed and rejects the contract Reason: _____

This is an automatic renewal and does not require approval from the County Attorney: Yes No



If this box is checked the County Attorney's Office has reviewed the contract but has not made needed changes to protect the County because the contract is a sole source contract and the services required by the County are not available from another vendor.

4. Technical/MIS Advisor has reviewed the contract if applicable. Yes No

5. Vendor has signed the contract. Yes No

6. A budget amendment is necessary before approval. Yes No

If budget amendment is necessary, please attach to this form.

7. Approval

Requires approval by the BOC - contracts over \$100,000.00. Follow Board submission guidelines.

Requires approval by the Manager – contracts \$100,000 or less.

8. Submit to Clerk.

Clerk's Office Only

Finance Officer has signed the contract

The Finance Officer is not required to sign the contract

NORTH CAROLINA

CHATHAM COUNTY

THIS CONTRACT FOR SUBDIVISION IMPROVEMENTS (this "Contract") made and entered into this the 30th day of April, 2024 by and between Fitch Creations, Inc., with a mailing address of 2000 Fearington Village Center, Pittsboro, NC 27312 (the "Developer") and Chatham County, a body politic and corporate of the State of North Carolina, with a mailing address of Post Office Box 54, Pittsboro, North Carolina 27312 (the "County");

W I T N E S S E T H:

WHEREAS, the Developer wishes to guarantee the satisfactory construction, installation, and completion of all improvements required by the County and previously agreed to by the Developer for Fearington Section X, Millcroft Extension ("the "Subdivision").

NOW, THEREFORE, Developer and County agree as follows:

1. The Developer shall apply for all necessary permits or approvals and shall construct, install, and complete the improvements as set forth in the records of the County approving the Subdivision, including, without limitation, all correspondence, cost estimates, subdivision plats, and other filings, which records are incorporated in this Contract by reference (the "Improvements").
2. The Developer shall provide adequate security acceptable to the County in an amount not less than the amount determined by Alan R. Keith, P.E. a licensed architect or engineer, of Diehl and Phillips, P.A., sufficient to secure the satisfactory construction, installation, and completion of the Improvements based on a Total Cost of Improvements letter dated February 9, 2024.
3. The Developer shall complete all Improvements on or before December 26, 2025.
4. After completion of all Improvements and upon acceptance of such work by the County, Developer may apply in writing for release of the security given to the County in Paragraph 2. Developer shall deliver to the County a certifying statement, in a form reasonably acceptable to the County, from the Engineer of Record verifying the satisfactory completion of the Improvements. Upon receipt and investigation of the certifying statement, the Planning Director of the County (or his/her designee) shall issue a notice of cancelation and termination of the Security, or such portion thereof, as the Developer may be entitled to receive, within a period of sixty (60) days thereafter.

5. This Contract may be extended by the County for good cause shown by the Developer, and will be extended upon demonstration by the Developer that any necessary permits or approvals required by third parties have not been issued through no fault of the Developer. In the event this Contract is extended, Developer may seek a reduction of the Security reflecting the substantial completion of the Improvements.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed as of the day and year first written above.

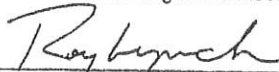
CHATHAM COUNTY

By: 
Dan LaMontagne, County Manager

FITCH CREATIONS, INC.

By: 
Authorized Agent

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.


Roy Lynch, Finance Officer

DIEHL & PHILLIPS, P.A.

CONSULTING ENGINEERS
1500 Piney Plains Road Suite 200
Cary, North Carolina 27518
Telephone (919) 467-9972

WILLIAM C. DIEHL, P.E.
JOHN F. PHILLIPS, P.E.
ALAN R. KEITH, P.E.

February 9, 2024

Kimberly Tyson
Chatham County Planning Department
P.O. Box 54
Pittsboro, NC 27312

Re: Financial Guarantee for Construction
Section X Millcroft Realignment / Extension, Ferrington P.U.D.

Dear Kimberly:

The construction of Section X Millcroft from Halifax to Weathersfield is complete. The project has been cleared, graded, water and sewer, and storm drainage have been installed. The streets have been paved and the disturbed areas seeded. The sediment basins will be removed along with the other erosion control measures removed when the site is fully stabilized. The streets are accessible to emergency vehicles.

The estimated cost for the remaining work in Section X on Millcroft is as follows:

Item	Estimated Cost
Site Cleanup, final grading and seeding	\$2,000.00
Erosion Control Removal	\$7,500.00
Total Estimated Cost of Construction To Complete Section X Millcroft Extension	\$9,500.00

Total Estimated Cost of Remaining Construction Plus 25% \$11,875.00.

Fitch Creations will provide suitable financial security in the amount of \$11,875.00 to cover the cost to complete construction of Section X Millcroft.

The total estimated cost of construction of Section X Millcroft is \$711,964.09. The work completed to date is estimated as \$702,464.09. The project is therefore approximately 98.67% complete.

