



**PERFORMANCE GUARANTEE AGREEMENT (PGA) & FINANCIAL SURETY OPTION TO OBTAIN  
TEMPORARY CERTIFICATE OF OCCUPANCY (TCO FOR COMMERCIAL SITE PLANS/NON-SFR  
SUBDIVISIONS) OR TO RECORD SUBDIVISION PLATS (FOR SINGLE-FAMILY DWELLINGS) PRIOR TO THE  
COMPLETION & FINAL APPROVAL OF STORMWATER CONTROL MEASURE (SCM) INSTALLATION**

A Performance Guarantee Agreement between the owner/developer & the County with a financial surety in the amount of 125% of the design, construction, and close-out costs of the SCM system will be required prior to Watershed Section sign-off on its portion of a TCO (for commercial & non-SFR projects) or recording of a subdivision plat (for SFR dwellings) when either is requested prior to completion and final approval of the SCM installation.

- Owners/developers, contractors and design team should begin this process with the County **well in advance** of the desired TCO or subdivision plat recordation date.
- See **Bulletin No. WS01** for information on SCM close-out procedures including items required prior to release of financial surety.

**Review Process for PGA & Financial Surety:**

1. Email PDF of the itemized Estimate of Probable Costs of the SCM signed/sealed by PE to the Watershed Section for review (see contacts further below). See further below for instructions and items to include on the estimate. Upon approval, proceed to Step 2.
2. Email the completed Performance Guarantee Agreement form with Attachment A (approved Estimate of Probable Costs) and Financial Surety in one compiled PDF document to the Watershed Section for initial review. Upon approval, proceed to Step 3.
3. Submit the signed/notarized wet seal Performance Guarantee Agreement with the Estimate of Probable Costs and Financial Surety attached (all original signed documents) for final review and acceptance by the County. Deliver documents to:

Attn: [Watershed Section staff member assigned to case; see contacts further below]  
Guilford County Planning & Development, Watershed Section  
400 W Market Street, 5th Floor  
Greensboro, NC 27401

The original documents in Step 3 will be reviewed by and then distributed by the Watershed Section to the County Attorney's Office and the Planning & Development Dept. Director for their final approval and acceptance. Review timelines may vary pending availability of all entities.

**Estimate of Probable Cost of the SCM:**

The financial surety (e.g. bond, letter of credit, certified check) must be provided by the owner/developer for **125% of the entire probable estimated costs of design, construction, and close-out of the SCM**. Please note that even if the SCM is partially constructed or almost complete, the Estimate of Probable Costs and associated financial surety amount must cover the entire 125% costs of the SCM as if no work has been completed to date.

**The Estimate of Probable Cost must include:**

- Signature/seal/date by PE
- Project name and address
- County Case # for the approved Site Plan or Subdivision Prelim Plat associated with the SCM(s)

- Owner/developer name
- SCM IDs (e.g. Wet Detention Pond 1)
- Table of itemized costs, including unit costs, quantities, and sub-totaled cost for each SCM material and component. Some items can be listed with a lump sum cost for the item, but in general the SCM components & materials such as pipes, rip-rap, structures, etc. should be quantified and unit cost provided. See list further below.

Table of itemized cost must include:

- Itemized SCM materials & components with item description, quantity, unit of measurement (e.g. LF, CY, Tons, Ea., etc.), unit cost, sub-total cost of each item should generally include, but not be limited to, the outlet control structure, pond/gate valve, barrel outlet pipe (w/ material & dia.), inlet pipes to nearest upstream structure (w/ mat. & dia.), flared end sections, manholes, trash rack, riprap (w/ class/size), headwalls, pond plantings, anti-seep collars or seepage diaphragm, perforated pipe, forebay berm, concrete (for bedding, anti-buoyancy and/or collar), bioretention/infiltration media, ASTM C-33 sand, reinforced concrete vaults, etc. based on approved SCM design
- Mobilization & Demobilization (L.S.)
- Grading (L.S.)
- Erosion Control (L.S.)
- Conversion of Temp. Erosion Control Device (e.g. Sediment Basin) to Permanent SCM (L.S.)
- Sediment Clean-out (L.S.)
- Final Stabilization, Seeding & Matting (L.S.)
- Design Engineering & EOR Construction Administration costs (L.S.)
- Construction Project Management & Supervision costs (L.S.)
- Compaction Density & Materials Testing (L.S.)
- Infiltration Testing for bioretention/infiltration systems (L.S.)
- Close-out costs:
  - Plat for SCM Access & Maintenance Easement (L.S.)
  - Operations & Maintenance Agreement (L.S.)
  - As-built Record Drawings (L.S.)
  - Confined Space Entry Inspection & Report for underground SCMs (L.S.)
  - Engineer's Statement of Completion & Certification (L.S.)
- Sub-total (100% costs)
- 25% contingency
- Total (125% costs for basis of surety amount)

Watershed Section contacts:

Brent Gatlin, PE, CFM, LEED AP  
 Watershed-Stormwater Engineer  
 Planning and Development Department  
[kgatlin@guilfordcountync.gov](mailto:kgatlin@guilfordcountync.gov)  
 336-641-3753

Kevin Larson, EI  
 Watershed Review Specialist  
 Planning and Development Department  
[klarson@guilfordcountync.gov](mailto:klarson@guilfordcountync.gov)  
 336-641-2382

**\*\*\*Disclaimer: This document refers only to the Performance Guarantee Agreement & Financial Surety procedures for SCMs. Other departments may require PGA & surety for other items prior to recording of plats or issuance of TCO\*\*\***

This Bulletin is intended for public information purposes only. It summarizes and omits some provisions. It is not to be construed or used as an official Development Ordinance interpretation in any legal proceeding.