

UNITY TOWNSHIP MUNICIPAL AUTHORITY GUIDELINES FOR DEVELOPERS

SECTION 1. PRELIMINARY MATTERS

- A. With an idea of project size and location, check with the Operations Manager of UTMA, as to whether sanitary sewers are available. A plot plan and/or a rough sewer layout together with estimates as to sanitary sewage volume requirements will be necessary for obtaining this information.
- B. At this time, operations Manager will make available to you the specifications currently in effect in Unity Township for Developers requiring public sanitary sewage.

SECTION 2. PUBLIC SEWAGE ONLY

- A. UTMA and its staff are responsible only for public sanitary sewage. They have no responsibility for on-site treatment facilities (septic tanks), which are within the jurisdiction of the Unity Township Board of Supervisors. Likewise, they have nothing to do with the Land Use Ordinance or Subdivision Controls in Unity Township. As a precautionary measure, however, a preliminary inquiry should be made by the Developer to the appropriate Township official as to what the requirements of the Land Use Ordinance and Subdivision Regulations are for the property for which public sanitary sewage is required. UTMA WILL NOT CONSIDER ANY REQUEST FOR SANITARY SEWAGE UNTIL AT LEAST PRELIMINARILY IT HAS BEEN DETERMINED THAT THE PROJECT IS IN KEEPING WITH THE LAND USE ORDINANCE AND SUBDIVISION REGULATIONS OF THE TOWNSHIP. NOTE ESPECIALLY THOSE RESTRICTIONS SET FORTH HEREFTER FOR PROPOSED DEVELOPMENTS IN THE LOYALHANNA WATERSHED.

SECTION 3. PaDEP REQUIREMENTS

- A. State law requires the following permits or approvals from PaDEP.
 1. Construction Permit - If the Development is for more than 250 Equivalent Dwelling Units ("EDU's"), or if a pump station or treatment plant is contemplated, then both Planning Modules and a Construction Permit are required from the PaDEP. Developer should initially contact the UTMA Engineer for determining the appropriate procedure to obtain the State permits.
 2. Planning Module Requirements - If a PaDEP Construction Permit is not required, and if the Development involves either a subdivision or a sewer line extension, then Planning Modules will be required unless an exemption is obtained from PaDEP. In the event Planning Modules are required, the forms are to be prepared by the Developer's Engineer and reviewed by the UTMA Engineer prior to the initial UTMA meeting at which the Development is presented. There is a \$1500 fee when a Planning Module Component 3 is required.
 3. Corrective Action Plans - Portions of Unity Township may be under a PaDEP Corrective Action Plan or other similar restriction. The Operations Manager should be contacted to discuss this issue.
 4. Planning Module Exemption - PaDEP may issue an exemption from the Planning Module requirement upon application submitted by the Unity Township Supervisors. The Application for an exemption should be prepared by the Developer's Engineer and

UNITY TOWNSHIP MUNICIPAL AUTHORITY GUIDELINES FOR DEVELOPERS

submitted to the Township Ordinance Officer. The application will not be submitted to PaDEP unless (1) prior certification is received from UTMA Engineer that the Development will not cause a sewer overload within meaning of a state law requirement; (2) Developer has executed an Agreement with UTMA; and (3) taps for the plan have been allocated.

SECTION 4. REVIEW BY UTMA

A. Attendance at Meeting

1. UTMA Staff holds a Staff meeting each month at 9:30 a.m. at which time Staff will render advice to a potential Developer and/or his engineer concerning the Development and what will be required for the necessary approvals to be obtained. If possible, the Developer and his engineer should attend the Staff meeting as a preliminary matter. If it is not possible for the Developer or his engineer to attend the Staff meeting, then the plans should be submitted to the Operations Manager in sufficient time prior to the Staff meeting at which time the Authority is to consider the plans, and so that the Operations Manager may review the same as to adequacy. Without such prior review, then the plans will not be considered by the UTMA Board at its regular meeting.

B. Placement on Agenda

1. In the event that a Developer desires to attend Staff meetings, Operations Manager should be called (724 423-6888 Ext. 102) in order that the Developer may be placed on the agenda.

C. Requirements at Meeting

1. UTMA will not take action unless the following are complied with at or before the commencement of the meeting.
 - a) PaDEP Processing Fee - If PaDEP requires a processing fee, it should be tendered at the meeting. Currently, no PaDEP processing fee is required for exemption certificate.
 - b) Planning Modules or Exemption Application - If Planning Modules are required, then the same should be prepared and submitted for review to UTMA Engineer and Township prior to meeting. If Planning Module Exemption application is planned, then same should have been submitted to Township Ordinance Officer prior to the meeting.
 - c) Escrow Requirements - UTMA requires monies to be deposited in escrow. The minimum escrow deposit (\$2,500) as set forth in the Resolution is required prior to the UTMA Board meeting where UTMA takes action approving the proposed development; otherwise, the Authority Board will not take action on the request. The balance of the escrow deposit is normally required prior to the commencement of construction of any sanitary sewers required for the project.
 - d) Engineering Required - Developer must bring with him a drawing outlining the Development and the extent of the sanitary sewer line construction contemplated for the Development. In the event of a multi-family dwelling, commercial or

UNITY TOWNSHIP MUNICIPAL AUTHORITY GUIDELINES FOR DEVELOPERS

proposed industrial development, the Developer should also have available all calculations for EDU determination. Under UTMA regulations, all fractional EDU's are rounded upwards. UTMA uses 120 gpd as One (1) EDU.

- e) Cost of Construction - The cost estimate of any proposed Sewer System Improvements should be developed at an early date since the estimated cost of construction determines the amount of the required (i) Escrow Deposit and (ii) construction bond. The estimate is to be developed by the Developer's Engineer and approved by the Authority Engineer. The cost includes the following: (i) The cost of all labor and material resulting from any and all grubbing, excavation, installation or construction of the Sewer System Improvements; (ii) all engineering design and oversight during the construction process; (iii) all performance and maintenance bonds as are otherwise required by UTMA; (iv) the cost of all right of way acquisitions; (v) the cost of any and all other costs or charges to be incurred by the Developer as a result of the construction and thereafter the dedication of the Sewer System Improvements to UTMA; and (vi) the expected reimbursement to UTMA by Developer of UTMA's resulting legal and engineering fees.
- f) Cost Estimate - The cost estimate shall include, at a minimum, the following line items when applicable.
 - (1) Mobilization – Lump Sum
 - (2) Main Line Sanitary 8", 10", 12", etc. Sewer – Linear Foot
 - (3) Laterals – Sanitary Sewer 4" and 6" – Linear Foot
 - (4) Wyes Size – Each
 - (5) Stone Backfill – Tons
 - (6) Manholes – Each
 - (7) Erosion and Sedimentation Control – Lump Sum
 - (8) Traffic Control – Lump Sum
 - (9) Pavement Restoration Township – Square Yard
 - (10) Pavement Restoration PennDOT – Square Yard
 - (11) Bonding – Performance and Maintenance – Lump Sum
 - (12) Surveys – Layout and As-builts – Lump Sum
- g) Not Included in Cost of Construction - The cost of construction shall not include the cost to Developer of constructing lateral sewer lines or any other installations which are not to be transferred or dedicated to UTMA as part of the undertaking of Developer. The estimated Cost of Construction shall be submitted by Developer's engineer on or prior to the submission of any required construction drawings and shall be subject to the approval of the UTMA Engineer.

UNITY TOWNSHIP MUNICIPAL AUTHORITY GUIDELINES FOR DEVELOPERS

- D. UTMA Action - If UTMA approves the project, then approval will include (i) direction to Solicitor to prepare a Developer Agreement and Easement Agreement (when required), (ii) direction that Planning Modules be submitted to PaDEP where required, (iii) direction to UTMA Engineer to investigate and thereafter make proper certification in the event that Exemption Certificate is applied for, and (iv) request Unity Township Supervisors to amend its Act 537 to include Development in portion of Township served by public sewers. In addition, the allocation requirements must be complied with as stated heretofore.
- E. MAWC Action - If the Development contemplates sewers which ultimately flow into Hempfield Township and treated by MAWC New Stanton plant, then MAWC approvals may also have to be obtained. UTMA has a Service Agreement with MAWC under which MAWC has agreed to accept sewage from Unity Township; however, the rules and regulations of MAWC must be adhered to. Approach should be made to MAWC at an early date.

SECTION 5. DEVELOPER AGREEMENT REQUIREMENTS

A. Tapping Fees

1. Tapping Fees (Other than Treated by MAWC) - \$2,650.00 per EDU (assumes Developer will be constructing the lateral sewers required). If UTMA has already constructed the laterals or will be constructing the laterals, then an additional \$1,000 per lateral tap is required.
2. Tapping Fees (Treated by MAWC) - If development is located in that part of Unity Township, the sewage from which is treated by MAWC, then the tapping fee (assuming Developer constructs the lateral sewers) is \$1,300; provided, however, that the MAWC Tapping Fees will also be due and payable in accordance with its regulations.
3. Refundability - Tapping fees are not refundable or transferable.
4. Payment of Tapping Fees - Generally, payment of the tapping fees are due at the time the Developer or proposed user executes the application for a sewer connection permit (prior to the issuance of a building permit); provided that (a) tapping fees in a CAP area are due in full by December 31st of the year in which the UTMA approves the development.

B. Escrow Deposit

1. The minimum escrow deposit is \$2500.
2. The advice of the Operations Manager should be obtained as to how much of an escrow deposit will be required, and what portion of it will be due at the Authority Board meeting at which approval of the development is granted.

C. Required Exhibits

1. Site or plot plan showing development and containing sanitary sewer layout.

SECTION 6. CONDITIONS PRELIMINARY TO CONSTRUCTION – Prior to the commencement of construction of any portion of the sanitary sewers serving the Development, the following are required.

UNITY TOWNSHIP MUNICIPAL AUTHORITY GUIDELINES FOR DEVELOPERS

- A. PaDEP Approval - Written approval has been received by UTMA.
- B. Agreement - The Developer's Agreement and Easement Agreement, when required, shall have been executed and received by UTMA.
- C. Compliance with Ordinances - UTMA has received notification that Developer is in compliance with Unity Township subdivision and land use ordinances, and the Township has no objection to commencement of construction.
- D. Escrow Deposit - All required payments for the Escrow Deposit have been made.
- E. Bonding Requirements - All bonding requirements shall be in accordance with UTMA Resolutions, and which are summarized as follows.
 - 1. Performance Bond - A performance bond in the amount of 110% of the Cost of Construction shall be submitted prior to construction and shall extend until the project completion. In addition, the issuer of the bond shall give written assurance that upon completion of construction, a maintenance bond in a minimum amount of 15% of the actual cost of construction will be issued which will extend for the period of guaranty under the Developer Agreement (18 months following the date of completion). All financial security required shall be in the form of a corporate bond with a bonding company or federal or Commonwealth of Pennsylvania chartered lending institution, provided that such bonding company is authorized to conduct business within the Commonwealth of Pennsylvania.
 - 2. Letter of Credit Alternative - In lieu of a corporate bond, a letter of credit or such other financial security as approved by the UTMA Solicitor may be submitted in the required amount.
 - 3. UTMA as Listed Oblige - Whether a corporate bond or a letter of credit, UTMA must be specifically named obligee, payee and beneficiary of the approved submission.
 - 4. Requirements of Bond - All security posted hereunder shall guaranty UTMA full and complete performance by both the Developer and Developer's Contractor, guarantying UTMA against any deficiencies in the Sewer System Improvements which are to be constructed and guaranty all costs of repair and maintenance thereof until the Expiration Date. To expedite construction, the form of bond should be issued to the Authority Solicitor at an early date in order that his review does not delay construction.
- F. Insurance Requirements - Insurance requirements shall be in accordance with UTMA Resolutions, and which are summarized as follows.
 - 1. Where Estimated Cost of Construction is in excess of \$10,000 - Evidence of liability insurance coverage in such form and amount (but no less than \$1 Million) as is satisfactory to the UTMA Solicitor.
 - 2. Where Estimated Cost of Construction is less than \$10,000 — Evidence of liability insurance coverage in such form and amount (but no less than \$500,000) as is satisfactory to the UTMA Solicitor.
 - 3. Specific Requirements - All liability insurance required hereunder shall be written with an insurance company licensed to do business within the Commonwealth of

UNITY TOWNSHIP MUNICIPAL AUTHORITY GUIDELINES FOR DEVELOPERS

Pennsylvania, and in addition to other standard provisions, shall provide that the insurance company shall not be permitted to cancel the insurance without first giving at least ten (10) days prior written notice to UTMA.

4. Evidence of Coverage - The minimum evidence of coverage required shall be a certificate of coverage issued by the insurer or insurer's agent. In the event that there are any limitations listed on the certificate or any attachment thereto, then in addition, submission of any endorsement required in order to evidence the required coverage shall be submitted. All certificates shall be subject to the prior approval of the UTMA Solicitor.
5. UTMA As Additional Insured - All insurance certificates shall name the UTMA as an additional insured, not merely as the holder of the certificate. If the insurance certificate contains any conditions which refer to a document or policy outside of the certificate, then copies of that document shall be submitted as well.
6. Time for Submission - All required insurance certificates shall be submitted and be approved prior to the commencement of any construction of the Sewer System Improvements. In order to expedite construction, all required insurance certificates should be issued to the Authority Solicitor at an early date in order that his review does not delay construction.

SECTION 7. REQUIREMENTS DURING AND AFTER CONSTRUCTION

- A. Inspection Requirements - No sewer line construction work is permitted unless UTMA representative is present. Full and complete adherence to this policy is mandatory. In the event of violation, Developer (and Developer's Contractor) will have to re-excavate that portion of the sanitary sewer line constructed in violation of the regulation.
- B. Period of Guaranty - Eighteen (18) months from date of Certificate of Completion issued by UTMA Engineer.
- C. As-Built Drawings - As-built drawings must be submitted ASAP after Certificate of Completion is issued by UTMA Engineer. No connections nor deed transfers are permitted prior to submission of as-built drawings and verification that all sewer installations are constructed within designated rights of way. There are no exceptions to this rule.
- D. Maintenance Bond Requirement - To be submitted upon issuance of Certificate of Completion and continues for full period of guaranty.
- E. Required Rights of Way - Any rights of way for the sewer line installations must be executed and recorded prior to conveyance of any lots in the development. UTMA Solicitor to prepare all rights of way based upon as-built engineering supplied by Developer's engineer.
- F. Certificate of Payment - The Developer shall deliver to UTMA a certificate signed by an Authorized Developer Representative setting forth the names of all contractors, subcontractors, vendors, and other persons who have supplied labor or materials in respect of the Facilities and stating that all such contractors, subcontractors, vendors and other persons have been paid in full, and have no claims, including but not limited to, claims for additional payment.

UNITY TOWNSHIP MUNICIPAL AUTHORITY GUIDELINES FOR DEVELOPERS

- G. Acceptance of Installation - Developer shall deliver to UTMA a written request asking UTMA to formally accept the installation.

SECTION 8. CONTACT INFORMATION – For further information, please use the following contact information.

Unity Township Municipal Authority
370 Pleasant Unity Mutual Road
Greensburg, PA 15601

Lori Rodkey, Office Manager
(724) 423-6888 Ext. 100
(724) 423-6878 (fax)
E-mail: LoriR@utmapa.org

Douglas A. Pike, Operations Manager
(724) 423-6888 Ext. 102
(724) 423-6878 (fax)
E-mail: DougP@utmapa.org

Kevin A. Brett, P.E.
LSSE
846 Fourth Avenue
Coraopolis PA 15108-1522
(412) 264-4400
(412) 264-1200 (fax)
E-mail: kbrett@lsse.com

Donald Hixson
LSSE
4536 PA 136, Suite 1
Greensburg, PA 15601
(724) 837-1057 Ext. 108
E-mail: dhixson@lsse.com

Romel L. Nicholas, Solicitor
Gaitens, Tucceri & Nicholas, P.C.
519 Court Place
Pittsburgh PA 15219
(412) 391-6920
(412) 391-1189 (fax)
E-mail: rnicholas@gtnlaw.com