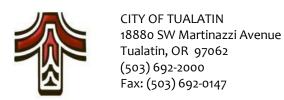CITY OF TUALATIN
18880 SW Martinazzi Avenue
Tualatin, OR 97062
(503) 692-2000
Fax: (503) 692-0147

CONSTRUCTION IMPROVEMENT AGREEMENT
(To be used for Public Works and Water Quality permit applications)

Bond Number: _____

This agreement is made and entered into this _____ 20 _____

by the City of Tualatin, a political subdivision of the State of Oregon (City) and _____

(Applicant) whose address is _____

WITNESSETH

1. **RECITALS**

    A. Applicant has applied for and been granted approval for a development known as _____

        located at _____

        being [_____] Permit Number _____ of the Engineering Division files,

        which is incorporated by this reference.

    B. Pursuant to the Public Works Construction Code (PWCC) in effect on this date, the following improvements shall be

        installed in accordance with the Code specifications and the City approved plans:

        _____

        _____

    C. Pursuant to the PWCC, in consideration of the City's approval of the permit listed herein, the Applicant shall deliver to

        the City written assurance (Corporate Surety Bond, Escrow Agreement in Lieu of Corporate Surety bond, or cash

        deposit) for the purpose of assuring full and faithful completion of all required improvement so existing public facilities

        within the public right-of-way, easements of a repair work to such public facilities which were damaged as a result of

        the development, and/or water quality facility has been completed in order to properly receive storm flow.

    D. Applicant desires to enter into a contract to provide said construction improvements in conformance with the PWCC

        and Construction Permit Number _____ and agrees to file written assurance as described in 1.C.

        above in the amount of $ _____

CITY OF TUALATIN
18880 SW Martinazzi Avenue
Tualatin, OR 97062
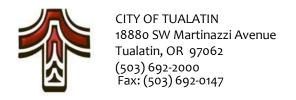(503) 692-2000
Fax: (503) 692-0147

CONSTRUCTION IMPROVEMENT
AGREEMENT
(To be used for Public Works and
Water Quality permit applications)

2.   Applicant agrees as follows:

A.   To all the recitals and provisions of this contract and to comply with the requirements of Construction Permit

Number

B.   To install and complete all improvements to existing public facilities required by Construction Permit Number

_____ in accordance with the City standards and specifications and repair all existing and constructed

facilities, within and outside the development, which are damaged as a result of the development. All construction and

repair work is to be done in a good and workmanlike manner in accordance with applicable City standards and shown

more particularly on the construction plans for the development which have been presented to the City for acceptance.

C.   To complete all the public improvements necessary to comply with the requirements of Construction Permit Number

_____ on or before the _____ day of _____ 20 _____

D.   That if work on the improvements specified in the contract are abandoned, incomplete, or deficient in any degree

after _____ 20 _____ City may pursue remedy under 1.C. above. The applicant and

its principals shall be jointly and severally liable to the City for any and all loss and damage from such abandonment or

failure, either from the greater expense of so completing or repairing faulty or damaged work, or from any other related

cause. Applicant further agrees that if any suit or action is pursued by City to enforce this contract or Construction

Permit Number _____ the prevailing party shall be entitled reasonable attorney fees at trial and

on appeal. Venue for any such action shall be the Washington County District or Circuit Court. This agreement is in

addition to, and not in lieu of, any other enforcement action available to City including permit revocation and citation.

E.   That this contract shall be binding on the Applicant and the Applicant's successors in interest and assigns and is

entered into in order to comply with the PWCC and Construction Permit Number _____

CONSTRUCTION IMPROVEMENT AGREEMENT
(To be used for Public Works and Water Quality permit applications)

IN WITNESS WHEREOF, the parties cause this agreement to be executed.

Dated this _____ day of _____ 20 _____

APPLICANT

Signature: _____

Typed or printed name: _____

Title: _____

CITY OF TUALATIN, OREGON

By: _____

Title: _____

Approved as to form:

_____
City Attorney