

## Attachments to the DIA

The following attachments are included in the DIA:

- Exhibit A: Property Legal Description
  - Exhibit B: Lienholder Ratification-
  - Exhibit C: Construction Cost Schedule- must be generated and signed by a Professional Engineer on the Mesa County template.
- Costs include but are not limited to:
- ◆ Earthwork
  - ◆ Construction related Stormwater Control Structures
  - ◆ Street Improvements
  - ◆ Stormwater
  - ◆ Sanitary Sewer
  - ◆ Water Systems
  - ◆ Irrigation
  - ◆ Drainage
  - ◆ Landscaping
  - ◆ Surveying
  - ◆ Geotechnical Material Testing and Inspections
  - ◆ Construction Traffic Control
  - ◆ Construction Management (3%) and Supervision of Installations (2%)
- Exhibit D: Guarantee Agreement- This is a different attachment depending on the type of Guarantee used (i.e. cash, letter of credit, performance bond, etc.)

## Reduction Requests-

After partial completion of Improvements, the Developer may submit a Reduction Request to reduce the guarantee held by the County. These requests should be done after 100% completion of item in the Construction Cost Schedule (i.e. installation of all waterlines, etc). The amount released is equivalent to 85% of the cost shown in the Construction Cost Schedule, not the actual cost. The following are required as part of a Reduction Request Application:

- Reduction Request worksheet (available upon request)
- Signature from (part of worksheet)
- Proof of contractor payment
- Certification from Engineer of Record, Contractor and Mesa County Development Engineer
- Acknowledgement from appropriate utility (if required)
- Compaction tests (if required)
- Site Visit

## Road Petitions

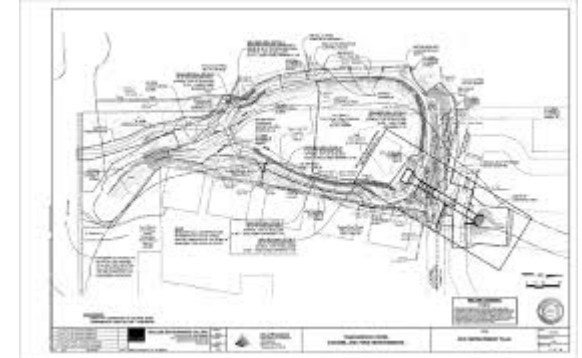
Roads built to Mesa County Standards will be petitioned to the Board of County Commissioners be included in the Mesa County Maintained Road system after DIA Extinguishment.



## Department of Public Works

Administration – Development Services -  
Engineering – Traffic- Solid Waste Management –  
Road & Bridge – RTPO – Fleet

## Development Improvements Agreement (DIA)



A DIA is required when site improvements are needed as part to the Development Process. This can include, but is not limited to: shared driveways, road/sidewalk construction, drainage/detention ponds, landscaping, water/sewer/irrigation systems, etc.

**Please contact the Development Engineer  
for sample Development Improvements  
Agreements**

Email: [dana.brosig@mesacounty.us](mailto:dana.brosig@mesacounty.us)

Telephone: (970)-255-5035

# Development Improvement Agreements (DIA)

## What is a DIA?

DIA is an acronym for Development Improvements Agreement. The DIA is an agreement between the project developer and Mesa County and requires a financial guaranty.

## Why is a DIA required?

The County seeks to protect the health, safety, and general welfare of the community by requiring a timely completion of the required public improvements and to limit the effects of uncompleted subdivisions.

The Development Improvements Agreement is a requirement of the Colorado Revised Statutes (Section 30-28-137). Therefore, the purpose of the Development Improvements Agreement is to protect the County from assuming the cost to complete subdivisions and to abide by the Colorado Revised Statutes. (Land Development Code (LDC) 3.16.1)

The Guarantee security amount for the Agreement shall accurately reflect the quantities and costs of all public improvements and common private improvements and shall be sufficient to make reasonable provision for the completion of required development improvements in accordance with construction documents, design and time specifications.

## Type of Guaranty Held During Construction:

- *Cash Escrow*- Cash in the amount of the cost of construction is deposited into an escrow account at the Mesa County Treasurer.
- *Development Improvement Cash Deposit Agreement*- Cash is deposited into a bank account with the agreement that they can only be disbursed to pay for the improvements
- *Performance Bond*- A Performance Bond may be acquired from a bonding agency. The Performance Bond must be reviewed by the County Attorney.
- *Letter of Credit*- Letter of Credit from a banking institution. Letter of Credit must be on banking institution letterhead and if it deviates from the sample letter of credit, must be reviewed by the County Attorney.
- *Construction Prior to Final Plat Agreement ("Plat Hold Agreement")*- After the agreement is signed, the improvements may be constructed. The plat is recorded after all of the improvements are accepted. The holding of the plat is the guarantee and there is also an additional Restoration Guarantee of \$2500 per disturbed acre. This is returned when the improvements are accepted.

## Warranty Guaranty (After Construction)

There is an 18 month warranty period on all improvements with an accompanying Warranty Guaranty in the amount of 15% of the Construction Cost Schedule. A Warranty Guaranty Agreement must be signed prior to extinguishing the DIA or Plat Hold Agreement. Warranty Guaranty can be in the form of cash, bond or Letter of Credit.

**Extinguishment of the DIA**- The following documents are required to extinguish the DIA

- Close-out Letter
- As-built Drawings
- Compaction Test Results
- Proof of Contractor/Sub-contractor Payment
- Irrigation Acceptance Letter (if applicable)
- Signed Signature Form
- Warranty Guaranty
- Final Inspection/ Completion of all punch list items

## Time Line

→ Approved Construction Drawings/ Construction Cost Schedule → Sign DIA/Plat Hold Agreement → Pre-Construction Meeting → Start Construction → Completion of Construction (within 1 year) → Final Inspection → Extinguishment of DIA/ Petition Roads → Warranty Guaranty (18 months)

## Recording of documents

The signed DIA will be recorded at the Clerk and Records office against the property. After all Improvements have been completed and accepted, a DIA Extinguishment memo will also be recorded.