

## 5.2.8. Surety from Public Agency, Public Utilities and Quasi-Governmental Agencies

Appropriate surety or collateral is required for all new construction associated with development.

When obtaining a work in the right-of-way permit, municipalities, quasigovernmental agencies, special districts, mutual companies, electric, gas and communication utilities, may provide a Letter of Responsibility in lieu of posting the required surety in a form acceptable to the ECM Administrator. This Letter of Responsibility in lieu of posting the required surety does not apply to any new development. The Letter of Responsibility used in obtaining a work in the right-of-way permit does not relieve the Public Agency, Public Utility, or Quasi-Governmental Agency from their responsibility to complete the project as planned. Every entity is required to assure that they have the financial ability to fund the entire project. Acceptable documentation verifying assets adequate to assure construction should be included in District documentation and may be verified. They must also show that they have the ability to obtain required surety for the project, even if a Letter of Responsibility is used in lieu of the surety. **Special districts, metro districts, or other districts specifically created for construction or financing of improvements cannot provide a Letter of Responsibility in lieu of posting the required financial assurance.**

December 7, 2021

El Paso County Planning and Community Development  
2880 International Circle  
Colorado Springs, CO 80910


**RE: Letter of Responsibility  
Widefield Water and Sanitation District's Rolling Hills Booster Pump Station**

Widefield Water and Sanitation District hereby tenders, and El Paso County, by and through the Board of County Commissioners of El Paso County, Colorado, hereby accepts his Letter of Responsibility as surety for the project described below as provided for in the El Paso County Engineering Criteria Manual, Section 5.2.8.

Widefield Water and Sanitation District hereby assumes all financial responsibility for construction of the grading and erosion control required for the Rolling Hills Booster Pump Station project according to the Construction Drawings prepared by JDS Hydro Consultants, Inc. and submitted as part of this application. Widefield Water and Sanitation District agrees to require the contractor who is awarded the contract to construct and maintain the Erosion Control and Stormwater Quality Best Management Practices as required by the Construction Documents and obtain the required permits for this construction project. Widefield Water and Sanitation District agrees to require the contractor to repair any deficiencies documented by the El Paso County Development Services prior to preliminary acceptance of the construction work by El Paso County Development Services. This letter shall be in effect until final acceptance of the Rolling Hills Booster Pump Station project's grading and erosion control by El Paso County.

In the event that Widefield Water and Sanitation District fails to perform its obligations hereunder, El Paso County shall have the right to exercise all administrative equitable and legal remedies available to it.

WIDEFIELD WATER AND SANITATION DISTRICT

By:   
Robert Bannister, P.E.

Date: 12/07/2021

**WWSD District Engineer**