

**NORTH MARIN WATER DISTRICT
REGULATION 28
CONSTRUCTION BY EXTENDER**

a. Right of Extender to Construct

The Extender may, if he elects, construct extensions to the District's water distribution system, with materials furnished by the District, provided, however, the District reserves the right to construct, with its own personnel or by private contract, any of the following:

- (1) Treatment facilities, pumping plants, storage facilities and main transmission lines
- (2) Small extensions
- (3) Extensions involving complicated connections to, or interference with, the District's existing facilities.

b. Conditions

Construction by the Extender shall be subject to each of the following conditions:

- (1) Prior to commencement of construction the Extender shall execute an Extension Agreement, advance all costs of materials to be furnished and work to be performed by the District, pay all charges as required by Regulations 21, 22, and 23 and furnish the District with a corporate surety performance bond satisfactory to the District in an amount equal to 100% of the estimated cost of the construction by the Extender.
- (2) All work shall be performed by a competent and experienced contractor licensed for underground construction and with experienced laborers.
- (3) All work shall be performed in a good, workmanlike and safe manner and in accordance with the plans and specifications of the District, under its inspection and to the satisfaction of its Chief Engineer. Risk of loss or damage to materials shall be borne by the Extender until the facilities constructed are accepted by the District.
- (4) All facilities shall be maintained by the contractor that installed the same for one year, or such longer period as shall be specified by the District, following the acceptance thereof by the District.
- (5) The Extender shall indemnify and hold the District, its officers, employees and agents harmless from any liability, arising out of or in any way connected with, such work done by, or on behalf of, the Extender, his employees, agents or contractors.