



Permit Center
210 Lottie Street
Bellingham, WA 98225
phone: 360-778-8300
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www.cob.org

LATECOMER APPLICATION

TO BE COMPLETED BY STAFF

LATECOMER NUMBER: _____ ASSIGNED PROJECT MANAGER: _____
DATE APPLICATION RECEIVED: _____ DATE APPLICATION ACCEPTED: _____
[] ADMINISTRATIVE FEE PAID [] RECORDING FEE PAID

TYPE OF LATECOMER

Check only one improvement. A separate application and fees are required for each improvement type.

[] STREET/STORM [] WATER [] SEWER

ASSOCIATED PUBLIC FACILITIES CONTRACT

Applicant must also apply for a public facilities construction permit.

Public Facilities Contract Number:

PFC Name:

DEVELOPER / PROPONENT

Name:

Address:

City/State/Zip:

Phone:

E-mail:

Signature:

LICENSED ENGINEER

Name:

Address:

City/State/Zip:

Phone:

E-mail:

Signature:

PROPOSED METHOD OF COST ALLOCATION*

[] FRONT FOOTAGE [] NUMBER OF UNITS [] PROPERTY SQUARE FOOTAGE
[] ZONE AND TERMINI [] OTHER EQUITABLE METHOD, describe below

*Public Works makes final decision unless a hearing is requested after preliminary notices are sent, then ultimately council decides.

ESTIMATED COST OF CONSTRUCTION

This is the sum of the direct construction costs for the public improvements plus indirect costs which are limited to the city's latecomer administrative fees, construction interest, and developer administrative costs. Please refer to BMC 14.02 for more information and the following sections for more guidance.

Total Projected Cost of Construction:

REQUIRED ATTACHMENTS TO THIS APPLICATION

The following must be submitted with this application to constitute a complete Latecomer Application.

Statement from a state of Washington licensed contractor or civil engineer containing **an itemized estimate of the total estimated cost of construction.**

Vicinity maps, stamped by a **state of Washington licensed civil engineer or surveyor**, depicting the developer's property, the proposed improvements, and the proposed assessment reimbursement area.

A legal description of the developer's property

A legal description of the properties within the developer's proposed assessment reimbursement area together with the name and address of the owners of each property as shown in the records of the assessor's office of Whatcom County

REQUIRED FEES

Application Fee of \$800 is required with this application. The following fees will be required prior to the City mailing the preliminary determination notices.

Administrative Fee = 1% of Estimated Cost of Construction

Recording Fee = \$250 for every parcel of property within the proposed assessment reimbursement area.

CONSTRUCTION COST GUIDANCE

DEFINITIONS

"Cost of construction" is the sum of the direct construction costs incurred to construct the street and/or utility system improvements plus indirect costs which are limited to the city's latecomer administrative fees (BMC [14.02.170](#)), construction interest, and developer administrative costs.

"Direct construction costs" include but are not limited to all related design services, engineering, surveying, legal services, bonding costs, environment mitigation, relocation and/or new construction of private utilities as required by the city (i.e., power, telephone, cable and gas), relocation and/or installation of street lights, relocation and/or installation of signage, acquisition of right-of-way and/or easements, government agency fees, testing services, inspection, plan review and approval, labor, materials, equipment rental, and contractor and/or subcontractor fees or charges.

"Construction Interest" means the sum of money to be added to the direct construction cost and reimbursed to the developer for the use of the developer's monies during the construction term. The interest rate shall be one percent above the Federal Reserve Bank prime loan rate published most recently before the date of the public facilities construction agreement. Interest accrual begins on the date of execution of the public facilities construction agreement and will continue throughout the construction term.

"Developer administrative costs" means all indirect costs incurred by the developer in the creation and execution of a public facilities construction agreement and managing the project; such as office supplies, mailings, clerical services, telephone expenses, accounting expenses, project oversight, and the like. Administrative costs shall not exceed three percent of all direct construction costs.

HOW THIS PROJECT CONSTRUCTION COST IS USED

Upon approval of the latecomer application, Public Works will formulate a preliminary assessment reimbursement area and preliminary assessment amount for each property included in the preliminary assessment reimbursement area. This must be a proportional share of the cost of the improvements.

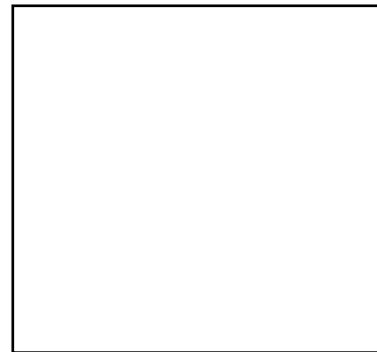
This preliminary assessment will be sent to the developer and the property owners of record and they will have 20 days from the mailing of the notice to request a hearing to be held before the Hearing Examiner to contest the preliminary assessment reimbursement area and/or amounts. The Hearing Examiner will provide a recommendation to City Council and it will be the City Council who will have final say on the area and assessment amount. If no request for a hearing is received within the allotted time, the determination of the Public Works department is final.

The City will record the latecomer agreement. After construction is complete (through a Public Facilities Contract) the developer will provide the City with documentation of the **actual costs of the improvements** and a certification by the applicant that all such costs have been paid. If the actual cost was higher than the projected cost, the agreement can be modified to include cost overruns up to a maximum of 10 percent. In the event that actual costs are less than the estimate by 10% or more, then the agreement will be reduced to the actual amount.

I am the owner of the property described above or I am authorized by the owner to sign and submit this application. I hereby acknowledge that I have read BMC 14.02 and this permit application in its entirety and state the information is correct, and agree to comply with all city ordinances and state laws regulating activities covered by this permit application. I also acknowledge that by signing this application I am the responsible party to receive all correspondence from the City regarding this project. I understand that if this form is being submitted electronically then my typed name on the signature line will qualify as my signature for purposes of the above certification.

Applicant Signature

Date



As required by BMC 14.02.040 the information on and required by this application must be approved by a state of Washington licensed engineer. Please stamp, sign, and date here to approve the application.