

WATERBRIDGE CONTRACTOR BUILDER AGREEMENT

INFORMATION, RULES, FINES May 3, 2021 Edition

All Builders are required to read and sign this agreement for each lot prior to the start of building, confirming that Builders will conform to the information, rules and fines in this agreement while building in Waterbridge. If the Home is being directly built for an Owner, not a spec build or a model home, the Owner must sign the signature line under item 7.

Required from builder prior to approval of building in the community:

1. Insurance endorsement for general liability minimum amount of \$1,000,000 per incident, \$2,000,000 aggregate.
2. Proof of Statutory Workers Compensation Insurance. Proof of Vehicle Insurance minimum amount of \$300,000.
3. Provide form at each renewal period showing your builder license is current with the State of SC.
4. Provide evidence of a Builder's Risk Policy for home when construction commences. (typ. paid by owner)
5. On all insurance policies, including Buildings Risk, name the Waterbridge HOA as "Certificate Holder" c/o CAMS, Attention Waterbridge Manager, 1612 Military Cutoff Rd, Ste 108, Wilmington, NC 28403
6. A list of all the GC's subcontractors prior to the start of construction on each project.
7. Compliance deposits and road bonds to be paid by Builders. Checks from Homeowners will not be accepted. Owner should not provide deposit money to the Builder to satisfy the deposit requirements, since fines may reduce the deposit refund, solely as the result of Builder actions.

Owner Printed Name: _____

Owner Signature: _____

Actions, other than direct property damage, which would reduce the amount of refund of a contractor's deposit.

8. For commencing any construction activities prior to the review and written approval of the ARC: \$500. Additional fines of \$100/day will be assessed if construction continues without ARC approval. No job site materials to include, port-potty enclosures, blocks, wood, etc. are permitted on the job site prior to written plan approval.
9. For trespassing on private lots or common areas, or parking so as to obstruct access to an adjacent home's driveway. \$100 per incident/day. Plus, restoration costs where applicable.
10. For building batter boards, storing equipment, dumpsters, porta-potties, building materials, dirt, trusses, etc. on adjacent lots without written permission of owner. Use of HOA areas is not permitted. \$100 per day, plus restoration costs where applicable. **Written permission must be provided to WB Manager prior to using an adjacent lot for any reason.**
11. For failure to maintain the silt fence. Silt fence must be embedded 2-3" before the start of construction and must be maintained throughout the entire build until landscaping goes in. Silt fence will guide the construction crews to the limits of the site property and must be placed fully along the wetlands border. If a portion of silt fence needs to be taken down temporarily to access a portion of the site from an adjacent property, permission to use that property must be attained per above. \$100 per day.
12. For failure to maintain the silt fence allowing silt to discharge into the community storm water system or ponds, \$200 per day, which may be increased if additional remediation is required.
13. For allowing trash (including, but not limited to: water bottles, styrofoam cups, plastic cups, plastic bags, food wrappers, single use plastic, loose cardboard and cardboard boxes, small pieces of scrap wood, plastic building wrapping, small pieces of wire, left over cut pieces of insulation, small broken CMU block, etc.) to accumulate on the site and/or spill over onto neighboring properties, or for leaving significant amounts of dirt or gravel on the street at the end of the workday. Empty pallets should be stacked, unused building materials picked up and stacked, etc. \$100 per day. **Sites should be policed at the end of every day work is performed on the site.**

14. For allowing dumpsters to be filled above the rim of the dumpster for 3 business days. \$100 per day. If dumpster does get filled to the rim or above then it must be tarped and tied down in the up to 3-day period while waiting for the pickup of the dumpster if it is not tarped and above the rim the fine is \$100 per day.
15. For working outside of permitted hours on any given day: \$100 per hour or fraction thereof. Permitted hours are Monday through Friday, 7 am to 6 pm. Saturdays 8 am to 5 pm. This includes material delivery by third parties.
16. For use of gate code by personnel other than Builder and Sub-contractors: \$100 per incident.
17. For violating the Sunday or Holiday working restrictions: \$500 per day. No work on Sundays or SC Holidays as follows: New Year's Day; Martin Luther King Day; President's Day; Memorial Day; Independence Day; Labor Day; Veterans Day; Thanksgiving Day; day after Thanksgiving, Christmas Eve; Christmas Day; day after Christmas.
18. For concrete truck crossing curbs other than for placing a driveway accessible from the construction site road frontage. \$500 per incident. Plan to utilize a concrete pump truck for the footings and main raised slab. If concrete curb is damaged during the build, the Builder is responsible for fixing prior to receiving road bond deposit refund.
19. For removal of any trees or shrubs or any work within a designated wetlands area as shown on the survey. The ARC will direct the restoration of these areas which may include the placement of additional trees and shrubs to match the density of what was removed. \$500 per incident plus restoration costs if needed.
20. For music or radio being played on construction sites. \$100 per incident. If WB Manager or Security is called to the same site multiple times in one day the fine is per occurrence, no limit per day.
21. For failure to remove all construction site materials examples; porta-potty enclosures, dumpsters, trailers, scrap wood, builder signs, etc. from the building site or adjacent lots after receiving the certificate of occupancy. \$100 per day.
22. For speeding by Builders and Sub-contractors, will be warned and fined per the Waterbridge traffic fine schedule.
23. For other violations of the Guidelines not mentioned herein, fines will be levied at the actual cost of the corrective action, to include any HOA expense.

A. Fines and compliance bond: If a Builder accumulates across all of their builds in WB more than 6 fines in a 6-month period then all subsequent fines will double, \$100 becomes \$200, etc. and the compliance bond on any new builds will double from \$2,500 to \$5,000. If the Builder continues to accumulate another 4 fines after the first 6 fines in a 6-month period defined by the oldest fine in a 6-month period, then any subsequent fines will double again, example: original fine was \$100 it then becomes \$400 and the original compliance bond was \$2,500 now becomes \$10,000 for a new build. Fines will continue to double in this manner for every 4 new fines a builder receives in a 6-month period until the Builder is compliant with the rules over a 6-month period.

B. Parking: When working on a street that has multiple job sites that are across from each other it is encouraged that Builders and Subcontractors park on one-side of the street so that through traffic can easily see and traverse the open lane.

C. Job-safety: For violations of OSHA regulations and/or where persons are endangered by actions of workers, a report will be filed with OSHA. No exceptions! Please provide on-going safety training for your workers and subcontractors.

Builder Company Name: _____ Date: _____

Printed Name and Title: _____ Lot Number: _____

Email: _____ Signature: _____