

PURPOSE OF STANDARD CONTRACT CLAUSE

The standard contract clause states that in the event that the County is forced to assume responsibility for the completion of work covered by the Public Works Agreement, the contractor will perform all work included in the contract for the County at the same price proposed to the developer. If an executed standard contract clause is included the package submitted to the Bureau of Development Review, a ten percent contingency will be applied to the required bond amount.

If an executed standard contract clause is not provided, a fifty percent contingency will be applied to the required bond amount to cover potential increases in construction costs and possible administrative costs associated with bond forfeiture.

The language to be included in the contract is as follows:

STANDARD CONTRACT CLAUSE

The parties hereto agree that the enforcement of this Agreement is contingent upon the final approval by the Planning and Zoning Commission and acceptance by the County Commissioners of Carroll County, a body corporate and politic of the State of Maryland, its duly authorized agents or employees, of the "project" known as _____ as evidenced by the recordation of a plat of the aforesaid subdivision, recorded pursuant to State law and the Code of Public Local Laws and Ordinances of Carroll County, or approval of a site development plan.

Should there be a failure of recordation of the plat or, for a site development plan, failure to execute a Public Works Agreement within 180 days of this Agreement, this Agreement shall terminate without further act of any party.

As this Agreement includes grading or the construction of certain improvements which form a basis of the approval of the aforesaid project by the County Commissioners of Carroll County, etc., and is the basis for a Public Works Agreement to be entered into by the County Commissioners of Carroll County, the parties hereto agree that the County Commissioners of Carroll County is a beneficiary of the terms of this contract which are co-extensive with the terms of its Public Works Agreement (a standard form having been reviewed by the parties) and it shall have the right to enforce any and all of the terms of this Agreement; provided, payment is made in accordance herewith; and further provided that the enforcement of the terms of this Agreement is made pursuant to the aforesaid Public Works Agreement. This contract may not be terminated (except as specifically provided herein), enlarged, modified, altered, assigned or assumed, except in writing signed by all the parties, including the County Commissioners of Carroll County, and endorsed hereon.

Contractor's Signature

Date

Contractor's Printed Name

Company's Telephone Number

Company's Name & Address