



## Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
[www.wycokck.org/planning](http://www.wycokck.org/planning)

Phone: (913) 573-5750  
Fax: (913) 573-5796  
Email: [planninginfo@wycokck.org](mailto:planninginfo@wycokck.org)

# Unified Government Landscape Bond Process

## Introduction and Purpose:

Issuance of a certificate of occupancy for any project or property associated with an entitlement from the City Planning Commission or UG Board of Commissioners, shall not be issued prior to the completion of all landscape elements for the project to the standards and requirements for a Final Certificate of Occupancy and the successful review by departmental inspection.

As an alternative to completely meeting all standards and requirements for a Final Certificate of Occupancy, to allow for cases of weather delays, plant seasonality, or shortages of labor or materials, the Property Owner may request to submit a landscape performance bond or surety.

Requests to submit a landscape performance bond or surety for a particular project must receive eligibility approval from the Department of Planning and Urban Design prior to submission. Submissions must meet all requirements of the Bonding Procedure Policy and pass the review process. Bond applications shall only be approved by the Zoning Enforcement Specialist, the Lead Planner, or the Director of Planning + Urban Design. Bond applications shall receive final approval before the applicant may request any inspection or re-inspection of a project or property for a Bonded Final Certificate of Occupancy.

## Bonding Application Process:

Below is a summary of the requirements for the Property Owner to request to bond the landscaping on your project:

1. You may request to provide a bond for all the landscaping on the entire project, or you may specify itemized landscape elements. The UG will require documentation stating your preferred option. **Bonding is only available for landscaping items.** Requests to consider bonding of non-landscape items (e.g., Fences, Architectural Screening, Concrete, Asphalt, Grading, Masonry work, etc.) will not be considered without pre-approval from the Director of Planning and Urban Design.

- a. If bonding the entire project, submit a memo stating bonding all the project landscaping and a copy of the landscape plan sheet.
  - b. If bonding itemized landscape elements, submit a memo listing: the quantity, type, and location of landscape items that need bonding. Include a copy of the landscape plan sheet with mark-ups indicating the itemized landscape elements.
  - c. Any prior history of an applicant or contractor posting bonds with the Unified Government will be included in the evaluation process.
2. Provide an itemized bid or invoice from a reputable landscape contractor or company for the total dollar amount for labor and materials for all the work that is to be covered by the bond. This itemized bid or invoice shall also include a standard warranty of material and labor for a minimum of one (1) year after date of installation and an agreement from the contractor to honor the bid amount if engaged by the Unified Government or its agents to complete the specified work within one year following the specified work completion deadline date described in item #3d.
3. Provide an original hardcopy of a bond document with embossed seal, from a bond company of your choice for the project. The following items must be included in your bond document:
  - a. Listing the “**Unified Treasurer - Unified Government of Wyandotte County Kansas City, KS**” as the beneficiary;
  - b. Include the project name, project address, building permit or DRC permit number, and a summary description of the scope of work to be bonded (e.g., “all landscaping”, or “itemized landscape elements including:....”);
  - c. Specifying a total dollar amount equaling **two times the dollar amount** of the landscaping invoice/estimate for the total dollar amount of the landscaping;
  - d. Specifying a **work completion date** for both the owner and contractor of **not later than 1 year** from original date of issue of the bond document. Thereafter, at no time and for no reason shall the specified work completion date deadline be modified or extended for any additional amount of time later than 1 year from the original date of issue of the bond document. **Note:** The property owner and their contractor are responsible for completing the outstanding work and passing re-inspection **before** the specified **work completion date**.
  - e. The bond must specify an expiration date of 2 years from date of issue, be fully funded and kept in force for 2 years from date of issue, and must be renewable. All bonding costs are the responsibility of the property owner and the applicant/holder of the DRC Project/Building permit. **Note:** The UG reserves the right to execute the bond instrument at any time after the **work completion deadline date**.
4. Provide a written and notarized Memorandum of Understanding for Property Access from the Developer, Property Owner, Contractor, and their successors, agents, or assigns to the Unified Government in acknowledgement of an open

building permit or bonded condition and the Unified Government's right to access the property for inspection or addressing any aspect related to permits or bonds.

5. Submit copies of these required documents to Planning Staff and to [EDR@wycokck.org](mailto:EDR@wycokck.org), and reference the Building Permit/DRC Permit Number and property address.
  - a. Original hardcopy of bond and documents to Planning Staff: Planning and Urban Design, 701 N 7<sup>th</sup> Street, Suite 423, Kansas City, KS 66101
  - b. Electronic copies of all documents and referencing the DRC permit Number, submitted to [EDR@wycokck.org](mailto:EDR@wycokck.org).

### **Order of Submission of a Bond Application:**

The bonding process requires the submission of documents listed above in process items #1 and #2 for review by the Planning + Urban Design Department. Landscaping Bond proposals may only be approved by the Zoning Enforcement Specialist, The Lead/Principal Planner, or the Director of Planning and Urban Design.

After review and acceptance, the applicant shall provide the bond documentation listed above in process items #3 and #4 in the manner described in #5. Following the review and confirmation of all document information, the applicant will be notified to proceed with inspection scheduling.

### **Inspections and Requirements for Bonded Final CO:**

After notification to schedule, the property owner should contact the Building Inspection Department to request a Reinspection for a Bonded Final CO for a following Tuesday or Thursday, subject to availability. [ 913-573-8620, [buildinginspection@wycokck.org](mailto:buildinginspection@wycokck.org) ]. Please be aware that we do need to have all the documents in our possession before a re-inspection can be conducted.

Other than the items specified under the bond application, All inspection items that have appeared on approved plans, previous inspection reports, and/or on the Departmental Requirements and Recommendations forms are required to be complete and ready to meet Final inspection criteria.

If a project is approved for a Bonded Final Certificate of Occupancy, it is the responsibility of the Property Owner, and their contractor to complete all work and pass re-inspection before the specified ***work completion deadline date***. Any third party warranty claimed work or re-work shall also be completed before the specified ***work completion deadline date***.

### **Final Inspections and Requirements for Bond Release:**

The re-inspection for bond release must be requested by the Property Owner or their contractor through the Building Inspection Department.

Following the future completion of all outstanding work and passing re-inspection of the project to release the security bond, the permit holder is responsible for requesting the return of the bond instrument documents. Such requests shall be made in writing to the Department of Planning and Urban Design. After processing a written request, Bond instrument documents will be returned by certified mail, or released to an authorized representative in-person with signed receipt.

**Additional Information:**

Surety Bonds or Performance Bonds are the required instrument to secure a bonded final certificate of occupancy for a project with outstanding/incomplete landscaping, regardless of dollar amount.

By agreeing to accept a bond to secure unfinished landscaping on any type of development project, The Unified Government shall not be held responsible for any issues, failures of contract, or failures of performance between developers, designers, clients, contractors, or any other interested parties to development projects that apply to post a performance or surety bond for landscaping. The Unified Government will be held harmless from any claims related to any of the following or similar items (including but not limited to): ancillary costs, performance delays, lost time, liquidated damages, cost overruns, opportunity costs, financing costs, insurance costs, losses, bonuses, penalties, failures to deliver, performance requirements, contract requirements, supply chain delays, labor shortages, legal fees, loss of opportunities, labor costs, etc.