



Construction of Public Improvements

Requirements & Guidelines – Updated 03/25/2025

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Summary

This document is intended to serve as a resource to help summarize the City of Shelbyville's procedures, expectations, and requirements for the construction of public improvements and then the request for acceptance of those improvements. This document serves to highlight the most important information related to this process, while also attempting to answer the most commonly asked questions. Further details and guidance can be found in the [City's Unified Development Ordinance](#), the [City's Construction Design Standards](#), the [City's Stormwater Design Manual](#), and the [City's Code of Ordinances](#). This document will be presented to developers/contractors at their required pre-construction meetings for each section of a subdivision where public improvements will be constructed.

Contact Information For City Departments

Planning

Adam Rude – Planning Director
arude@cityofshelbyvillein.com
317-392-5102 x 306

Maria Henriquez – Deputy Planning Director
mhenriquez@cityofshelbyvillein.com
317-392-5102 x 315

Engineering

Tyler Comstock – City Engineer
tcomstock@cityofshelbyvillein.com
317-392-5102 x 311

Street

Shane Peters – Street Commissioner
speters@cityofshelbyvillein.com
317-392-5169

MS4/Stormwater

Derrick Byers – MS4 Director
dbyers@cityofshelbyvillein.com
317-392-5102 x 316

Water Resource Recovery Facility

Shelly Higdon – WRRF Superintendent
shigdon@cityofshelbyvillein.com
317-392-5131

Construction Inspections and Testing

Throughout the construction of public improvements, the City will require inspections of the improvements that will eventually be accepted by the City. These inspections shall be coordinated with each respective department, through the contact information listed previously in this document. The necessary inspections during the construction process are as follows:

Streets/Engineering:

- Proof Roll – Sub-base
- Proof Roll – Stone

MS4/Stormwater:

- Storm Sewer Installation Inspection
- Deflection Test
- Cleaning and Video Recording of Lines
- Post-Construction Water Quality Inspection

Water Resource Recovery Facility:

- Mandrel Pull Test
- Air Testing
- Lift Station Drawdown Test (If Applicable)
- Sanitary Sewer Installation Inspection
- Cleaning and Video Recording of Lines

Delay of Road Surface Installation

It is the policy of The City of Shelbyville that the 1.5" asphalt surface is not to be installed until one of the following has occurred:

- At least 75% of building lots have received their final Certificate of Occupancy from the Office of the Shelbyville Building Commissioner.
- Three (3) years have passed since the City's acceptance of the remaining elements of the road.

This policy is in place to prevent the damage of the road's surface, which is most common during the home construction phase of a new residential development. This requirement may only be waived by the Board of Public Works and Safety.

Performance Surety must be posted for this work, in accordance with Article 7 of the UDO. Notice must be provided to the City Engineer and Street Commissioner at least 1 week prior to placing the surface coat of asphalt, allowing an opportunity for either offices to inspect the current condition of the road, as well as allowing them to be present while the work is being performed.

Final Inspection

Towards the end of construction, the City will conduct a walk-through inspection of the site where all City Departments will be represented. This inspection must be requested by the developer when they feel they have completed all improvements to a satisfactory level. Prior to requesting this inspection, the developer must provide test results for the Storm Sewer and sanitary Sewer systems, if the developer intends to request for their acceptance at this time.

During this inspection, the City will require that the developer and/or their contractor be present. While it is helpful to have someone representing each of the sub-contractors present, this is not required UNLESS any City Department requests that a specific sub-contractor be present during this inspection. During and shortly after this inspection, the City will develop a "punch-list" of deficiencies identified during the inspection that must be resolved for the City to accept the infrastructure. This punch-list will be provided to the developer within 2-3 business days of the inspection, so that they may begin resolving these items, but the vast majority of these items will also be discussed during the inspection. Based on the number and severity of deficiencies identified during the initial inspection, the City may require a follow-up walkthrough inspection, which will include all necessary City Departments. Typically, the number of deficiencies is small enough that the City will ask the developer to work directly with each department to receive confirmation that each deficiency has been addressed. All deficiencies **must** be resolved before the developer may apply for acceptance of improvements and maintenance surety.

Construction Surety:

Approval of Value Estimates of Public Improvements:

In accordance with Article 7 of the City of Shelbyville’s Unified Development Ordinance (UDO), the City Engineer’s Office is responsible for approving the value of all public improvements being accepted by the City. The developer is responsible for providing the City with a proposed value of the improvements and the necessary supporting documents listed below, and the City Engineer’s Office will then review those documents and approve, deny, or modify the proposed values. Based on those values, the surety amounts and durations will be set in accordance with the requirements of the UDO.

Option 1: Contracts & Bids

The developer will provide the City Engineer with copies of all relevant bids, contracts, and other construction related documents that illustrate the actual costs incurred by the developer for the installation of the improvements. The Developer shall work directly with the City Engineer’s Office to determine what documents are needed to establish the value of Improvements.

Option 2: Engineer’s Estimate

The developer will provide to the City Engineer, a report from a Professional Engineer certifying the estimated value of construction for all relevant public improvements. This report shall be completed by a Professional Engineer selected by the City and funded by the Developer.

Note: Any and all documents submitted to the City of Shelbyville or any agent of the City of Shelbyville, may become subject to public disclosure in accordance with The Indiana Access to Public Records Act, IC 5-14-3, and any other applicable local, state, or federal laws. Any proprietary information or “trade secrets” should be redacted from documents prior to their submission, or this information could be subject to disclosure through future records requests.

Minimum Surety Requirements:

The following table provides minimum amounts and durations for both Maintenance and Performance Surety, in accordance with Article 7 of the UDO:

<i>Surety Type</i>	<i>Surety Amount As A Perc. of Improvement Value</i>	<i>Min. Duration of Surety</i>
Performance	125%	3 Years
Maintenance	10%	2 Years
<i>Note: The City may require a larger amount or a longer duration of surety in some circumstances</i>		

The surety shall be provided in the form of either a bond or an irrevocable letter of credit. All forms of surety shall be securable by the "City of Shelbyville, Indiana." Updates and extensions to any irrevocable letters of credit used shall be provided to the Shelbyville Clerk-Treasurer annually for the duration for which the surety is required. (UDO 7.01-C-5)

The surety shall specifically contain the following items:

- The name of the subject subdivision, including the phase and/or section
- The date from which the surety is valid
- The time period for which the surety is valid, or a statement that the surety remains in effect until released by the City.
- The specific public improvements for which the surety is being provided for
- A clear statement that the surety is being provided as "Maintenance Surety" or "Performance Surety"

Improvements Requiring Surety

The following public improvements will need the appropriate surety provided for them:

- Street Compaction and Subsurface
- Street Base
- Street Surface
- Curbs & Gutters
- Street Signs and Traffic Control Signs
- Pedestrian Paths/Asphalt Trails
- Common Area Sidewalks
- Sanitary Sewers
- Surface Swales and Subsurface Storm Drainage Systems
- Seeding/Erosion Control
- Common Area/Subdivision Landscaping
- Required Off-site Improvements
- Repairs or Replacements to Existing Off-site Public Infrastructure Damaged During Construction
- Improvements Required by The Plan Commission or City Engineer in accordance with UDO 5.53
- Other Items Required By The Plan Commission or a City Department

Surety may be provided for individual items or combined to consolidate the number of bonds being provided to the City. Surety that includes multiple items may only be released when (1) all items listed are ready to be accepted and the surety release, or (2) new surety is provided that includes the outstanding items not ready to be accepted. If items are being combined on one surety, all of those respective items must be individually listed on the surety. As outlined in the UDO, surety which covers multiple items, may be used in its

entirety by the Board of Public Works and Safety for any single item listed on the surety, regardless of any itemization provided to the City.

Filing for Acceptance of Improvements:

Required Documents

Prior to filing for acceptance of public improvements, all testing documentation, as-builts, required third-party inspections, and camera footage of storm and sanitary sewers lines must be submitted to the appropriate City Departments, copying the City Planning Department in those correspondences. The following documentation is required when filing for acceptance of public improvements with the Shelbyville Board of Public Works and Safety:

- Letter from developer or their representative formally requesting for the City to consider acceptance of the public improvements. The letter should state the name and phase/section of the subdivision, the improvements that are being requested for acceptance, the improvements that are not completed yet, and an accounting of the surety being provided for each improvement
- Original copies of surety documents
- At least two (2) mylar and two (2) bond copies of the Final Plat
 - One mylar will remain at the Shelby County Recorder's Office
 - One mylar and two bond copies will remain with the City
 - Any additional copies for the developer or contractor should be provided at this time as well
- "As-Builts" for all public infrastructure and utility infrastructure constructed for the subject project
 - These as-builts shall be provided in both PDF and CAD file formats
 - These as-builts shall be prepared in accordance with *ASCE Standard 75-22 "Standard Guideline for Recording and Exchanging Utility Infrastructure Data"*
- Any additional documentation or third-party testing identified previously in this guide, or requested by the City during the walkthrough inspections

These documents shall be provided in a physical and digital format to the City, and the physical copies should be sent to:

*Shelbyville Plan Commission
City of Shelbyville, Indiana
44 W Washington St.
Shelbyville IN, 46176*

Acceptance of Public Improvements Process

The process for requesting the City to accept public improvements is as follows:

1. All documents listed on the previous page must be submitted to the Plan Commission office, at least one (1) week prior to the Board of Public Works and Safety (BOW) meeting where they will be introduced. The BOW meets weekly, on Tuesday morning at 8:30 AM.
2. Plan Commission staff will organize these documents and any additional documents needed by the BOW.
3. Plan Commission staff will present the BOW with the request for acceptance and the supporting documentation for their review and consideration.
4. The BOW typically makes a determination after one (1) week of review and consideration, assuming there are no outstanding questions or concerns.
5. The BOW does not require nor expect applicants to appear at a meeting, unless there are outstanding issues that lead to questions or concerns from the board. If the board does have questions or concerns, plan Commission staff will coordinate with the developer to have them appear at a future BOW meeting.
6. After the BOW has accepted the improvements, the Plan Commission staff will coordinate with the appropriate bodies to get signatures on all documents. This typically takes 1-3 business days.
7. Plan Commission staff will notify the developer when all documents have been signed, and the developer will then be able to pick up the Final Plat from the Plan Commission Office and have the documents recorded.
8. The Plan Commission office will need their one (1) mylar and two (2) bond copies returned with the "Recorded" or "Recorded - Copy" stamp affixed.
9. Once the Plan Commission office has their copies of all of the Final Plat documents, permits for individual lots within this section of the subdivision may begin being applied for and processed.