

Explanation of Recapture Program

INTRODUCTION

Village policy allows recapture when an improvement will benefit other properties. Any recapture request is subject to Village approval (Village Engineer and Village Board).

RECAPTUREABLE ITEMS

Generally water, sanitary sewer, and roadway improvements could be recaptured if the extent of the project includes oversizing, off-site improvements, and/or onsite improvements that will benefit other properties. Legitimate line items of recapture may include actual construction cost, incidental fees (engineering, legal, and administrative), and easement acquisition.

There are several categories of recapture on actual construction costs. Category 1: Typically, the Village permits recapture of all of the construction cost if the actual cost is less than 5% of the original/approved Engineer's Opinion of Probable Cost (EOPC). Category 2: If the actual cost *exceeds* 5% of the original/approved design Engineer's Opinion of Probable Cost (EOPC). For Category 2 a written explanation must be submitted explaining why the costs exceed the EOPC. The explanation will be reviewed by the Village to determine if the additional cost is allowable for recapture. Category 3: Costs in excess of 10% of the original/approved design EOPC cannot be recaptured.

Incidental fees may include engineering, legal, and administrative fees. Any part of these fees exceeding 10% of the actual construction cost are not recaptureable.

PROCESS

Any developer or person performing a recaptureable improvement must identify those items that will be considered for recapture on the submitted Engineer's Opinion of Probable Cost (EOPC). At that point, or prior to that, the developer must submit a written request for recapture to the Village along with a completed Standard Recapture Agreement (available at http://www.plainfield-il.org/dept_planning.htm). The Village will review the application and indicate if revisions are needed and when the Agreement will be scheduled for Village Board consideration. Any improvement started prior to adoption cannot be guaranteed recapture rights.

After an Agreement is adopted and signed, the developer may proceed with recaptureable improvements. The developer has sixty (60) days upon completion to file certified costs. A certification application can be found at http://www.plainfield-il.org/dept_planning.htm. Should the developer fail to file for certification within 60 days, the Agreement shall become null and void.

Because roadway improvements may occur in stages, the Village permits their certification in two phases. The first phase may include excavation, sub-base, base course, binder course, curb and gutter, sidewalk and storm sewer. Phase two encompasses all remaining improvements not included with Phase 1, which may be final surface course, striping, and lighting. Water and sanitary sewer certification will occur in one phase: at completion.

CONTACT

For more information, questions regarding recapture, or to submit a request, please contact:

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