

# HYDRACX<sup>2</sup>

## EXTREME SLOPE MATRIX

### Ultimate Assurance Guarantee – Spray with Confidence!

When you design your project using the most recent version of the North American Green HydraCX<sup>2</sup>™ Design Estimator in effect at the time of your application, you can be confident that the product will work just as designed. That's our ultimate assurance guarantee!

North American Green, Inc. ("North American Green") hereby guarantees the performance of HydraCX<sup>2</sup>™ Extreme Slope Matrix sold hereunder, provided HydraCX<sup>2</sup>™ is used in the application designed and specified by a qualified engineer or North American Green technical representative prior to product installation in accordance with the most recent version then in effect of the North American Green HydraCX<sup>2</sup>™ Design Estimator. All conditions for product usage as stated within the Design Estimator and as stated herein must be satisfied in order for the provisions of this guarantee to apply.

In order to qualify for this guarantee, the project and associated design information must be registered with North American Green prior to installation of the product. Seedbed preparation, seed application and product application must be in accordance with North American Green's published and/or written recommendations.

THIS GUARANTEE EXPRESSLY WARRANTS THE PERFORMANCE OF NORTH AMERICAN GREEN'S HYDRACX<sup>2</sup>™ IN CONTROLLING SURFACE EROSION OF SOILS DUE TO THE NATURAL FORCES OF RAINFALL. SOIL EROSION CAUSED OR EXACERBATED BY INTERNAL STRUCTURAL INSTABILITY OF THE SOIL MASS, SLUMPING OR SETTLING OF UNDERLYING SOILS, INSUFFICIENT DRAINAGE OF GROUND WATER OR PIPING OF GROUND WATER THROUGH THE SOIL SURFACE LAYER, OR EROSION INITIATED AND/OR EXACERBATED BY HUMAN ACTIVITIES (INCLUDING USE OF VEHICLES OR EQUIPMENT), ACTS OF GOD (INCLUDING FLOODS, HURRICANES, TORNADOES, OTHER ABNORMAL CLIMATIC EVENTS), THE ACTS OR OMISSIONS OF OTHERS NOT UNDER CONTRACT TO NORTH AMERICAN GREEN FOLLOWING APPLICATION OF HYDRACX<sup>2</sup>™ ARE EXPRESSLY EXCLUDED. OVERLAND FLOW AND CONCENTRATED FLOW SCENARIOS REQUIRE HYDRACX<sup>2</sup>™ TO BE REINFORCED WITH A NORTH AMERICAN GREEN ROLLED EROSION CONTROL PRODUCT (RECP).

Due to uncontrollable environmental factors that affect seed germination, North American Green does not guarantee the germination of the seed utilized. Specific performance and failure criteria are exclusively defined within the following product guidelines.

Temporary Slope Protection – HydraCX<sup>2</sup>™ will reduce maximum soil loss to below the designated Soil Loss Tolerance (SLT) through the specified protection period up to 50% of the estimated protection period (as selected in the Design Estimator), assuming the calculated Maximum Soil Loss (MSL mat) for the product is less than or equal to the Soil Loss Tolerance; all factors used in the soil loss calculations are congruent with the actual application; and the slope

is not subjected to rainfall conditions following application, which exceed the projected R (rainfall) factor used in the calculations.

IF IT IS DETERMINED THAT HYDRACX<sup>2</sup>™ WAS PROPERLY APPLIED AND FAILED WITHIN 50% OF THE ESTIMATED PROTECTION PERIOD, NORTH AMERICAN GREEN SHALL PROVIDE THE FOLLOWING MATERIALS FOR REPLACEMENT IN THE SPECIFIED AREA/S IN WHICH SUCH FAILURE OCCURRED: HYDRACX<sup>2</sup>™, SEED, FERTILIZERS AND SOIL AMENDMENTS. THIS IS THE EXCLUSIVE REMEDY UNDER THIS GUARANTEE.

IN NO EVENT SHALL NORTH AMERICAN GREEN BE RESPONSIBLE OR LIABLE FOR ANY LABOR AND/OR EQUIPMENT COSTS ASSOCIATED WITH TOPSOIL REPLACEMENT, SEEDBED PREPARATION, OR INSTALLATION OF ANY MATERIALS. NORTH AMERICAN GREEN SHALL NOT BE LIABLE FOR ANY DELAYS OR DAMAGES OF ANY TYPE OR DESCRIPTION, AND ITS LIABILITY UNDER THIS WARRANTY SHALL BE LIMITED SOLELY TO THE AFORESAID REPLACEMENT OF MATERIALS.

All projects and associated design information must be registered with North American Green prior to application of the product. Upon receipt of the project registration information, North American Green will acknowledge registration of the project and reply with a Project Registration Number that must be retained by the customer for future reference.

All claims under this warranty must be made in writing within ten (10) days after a failure has occurred and within 50% of the estimated protection period. All such claims must be in writing and include the Project Registration Number. All claims must be sent by physical mail, e-mail or fax to the following address:

North American Green, Inc.  
Ultimate Assurance Guarantee Claims  
5401 St. Wendel-Cynthiana Road  
Poseyville, IN 47633  
Fax: (812) 867-0247  
E-mail: MatriCx@nagreen.com

Upon receipt of written claim, North American Green and/or its authorized distributor will reply with a Guarantee Claim Form that must be completed by the claimant and returned to North American Green or its authorized distributor. Following receipt of the Claim Form, North American Green and/or its authorized distributor shall promptly inspect the application and shall provide the customer with written acceptance or denial of the claim within ten (10) business days of such an inspection.

OTHER THAN AS EXPRESSLY SET FORTH HEREIN, NORTH AMERICAN GREEN HEREBY EXPRESSLY DISCLAIMS ANY AND ALL OTHER WARRANTIES, EXPRESSED, IMPLIED OR STATUTORY INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.



## Ultimate Assurance Guarantee Claim Form

**Date:** \_\_\_\_\_

**Name of Designer/Engineer:** \_\_\_\_\_

**Company Name:** \_\_\_\_\_

**Contact Name:**  
*(If different than Designer/Engineer)* \_\_\_\_\_

**Contact Phone Number:** \_\_\_\_\_

**Contact E-Mail:** \_\_\_\_\_

**Contact Address:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_

**Project Location (City/State):** \_\_\_\_\_

**Ultimate Assurance  
Guarantee Registration Number:** \_\_\_\_\_

**Date of Application of Product:** \_\_\_\_\_

**Total Square Yards on Project:** \_\_\_\_\_

**Size of Area  
Impacted by Failure (sq yds):** \_\_\_\_\_

**General Condition of Product:**     *(Please Circle One)*     Good     /     Fair     /     Poor

**Original Seed Mix:** \_\_\_\_\_

**Current Vegetative Condition of Product:**

(Please Circle One) Unvegetated / Partially Vegetated / Fully Vegetated

*For Partially or Fully Vegetated product, please include the following detailed information about the Vegetative Stand:*

**Species/Common Name:** \_\_\_\_\_

**Density:** \_\_\_\_\_

**Height:** \_\_\_\_\_

**Other:** \_\_\_\_\_

**Date of Failure of Product:** \_\_\_\_\_

**Describe Current Condition of Site and Failure Occurrence:**

**What was the rainfall affecting area (intensity and duration)?** \_\_\_\_\_

**Constructed slope gradient ( $H:V$ )?** \_\_\_\_\_

**Is there an additional drainage area above in order to protect the slope?** \_\_\_\_\_

**Soil Texture (USDA Classification Method)?** \_\_\_\_\_

**NOTE:** Please provide a copy of the Ultimate Assurance Guarantee registration pack and any relevant documentation or information along with this form when submitting.