

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY **BLUE SHEET NO: 20041241-UTL**

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance, by Resolution, as a donation of water distribution and gravity collection systems and two (2) 4" diameter fire lines serving *HERITAGE POINTE - PHASES 2B, 3A, 3B, 4A, 4B, 5 & 6*. This is a Developer contributed asset project located along Pine Ridge Road, approximately 2,000' North of Summerlin Road.

WHY ACTION IS NECESSARY:

To provide potable water service, fire protection and sanitary sewer service to these phases of the multi-family residential development.

WHAT ACTION ACCOMPLISHES:

Places the water and sewer systems into operation and complies with the Lee County Utilities Operations Manual.

2. DEPARTMENTAL CATEGORY: 10
COMMISSION DISTRICT #: 3

C101

3. MEETING DATE: 10-19-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED: _____

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE _____
 - ORDINANCE _____
 - ADMIN. CODE _____
 - OTHER Res. _____

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER: _____
- B. DEPARTMENT: Lee County Public Works
- C. DIVISION/SECTION: Utilities Division
- BY: Rick Diaz, E.E., Utilities Director

DATE: 10/1/04

7. BACKGROUND:



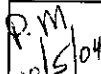
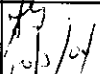
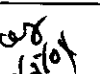
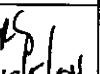

The Board granted permission to construct for phases 2B, 3A & 3B on 02/03/04, Blue Sheet #20040033.
 The Board granted permission to construct for phases 4A, 4B, 5 & 6 on 03/16/04, Blue Sheet #20040170.
 The installation has been inspected for conformance to the Lee County Utilities Operations Manual.
 Satisfactory pressure and bacteriological testing of the water system has been completed.
 Record Drawings have been provided.
 Engineer's Certification of Completion has been provided---copy attached.
 Project location map---copy attached.
 Warranty has been provided---copy attached.
 Waiver of lien has been provided---copy attached.
 Certification of Contributory Assets has been provided---copy attached.
 100% of the connection fees have been paid.

No funds required.

SECTION 05 TOWNSHIP 46S RANGE 24E DISTRICT # 3 COMMISSIONER JUDAH

MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
 J. Lavender Date: 10-1-04	N/A Date:	N/A Date:	R.O. T. Osterhout Date: 9-30	 S. Coovert Date:	 P.M. 10/5/04	 10/3/04	 10/2/04	 10/5/04	 J. Lavender Date: 10-1-04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty

Date: 10/4/04

Time: 4:15

Forwarded To:

10/5/04

RECEIVED BY
COUNTY ADMIN:

10/05/04

9:30 AM

COUNTY ADMIN
FORWARDED TO:

10/7/04

9:30

PM

RESOLUTION NO. _____

RESOLUTION ESTABLISHING UTILITY ACCEPTANCE OF
DEVELOPER CONTRIBUTED ASSETS
IN LEE COUNTY, FLORIDA

WHEREAS, it is the desire of "U.S. Home Corp./CMC Enterprises of SW FL, Inc.", owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution, two 4" diameter fire lines) and sewer facilities (gravity collection system) serving "**HERITAGE POINTE, PHASES 2B, 3A, 3B, 4A, 4B, 5 & 6**"; and,

WHEREAS, Lee County Utilities requires proof of a Release of Lien, a Warranty (one-year) on all labor and materials, an accurate value of contributed assets, and right-of-way and/or easement-indemnity granted for all systems being contributed to Lee County Utilities; and,

WHEREAS, all of the above information has been received and approved as complete by Lee County Utilities; and,

WHEREAS, Lee County Utilities has recommended to the Board of County Commissioners that the above-named system be accepted for ownership, operation, and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that the above facilities, for a contributed value of **\$199,176.41** is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was offered by Commissioner _____ who moved for its adoption. The motion was seconded by Commissioner _____ and, upon being put to a vote, the vote was as follows:

- Commissioner Bob Janes: _____ (1)
- Commissioner Douglas St. Cerny: _____ (2)
- Commissioner Ray Judah: _____ (3)
- Commissioner Andrew Coy: _____ (4)
- Commissioner John Albion: _____ (5)

DULY PASSED AND ADOPTED this _____ day of _____, _____.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
DEPUTY CLERK

By: _____
CHAIRMAN

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

copy

LETTER OF COMPLETION

DATE: 8/26/2004

Department of Lee County Utilities
Division of Engineering
Post Office Box 398
Fort Myers, FL 33902

Gentlemen:

This is to certify that the **water distribution and sanitary sewer** systems located in
Heritage Pointe Phases 2B, 3A, 3B, 4A, 4B, 5 & 6
(Name of Development)

were designed by me and have been constructed in conformance with:
the approved plans and the approved specifications

Upon completion of the work, we observed the following successful tests of the facilities:

Bacteriological Test , Pressure Test(s) - Water Main

Low Pressure Test(s) - Gravity Main TV Inspection, Mandrill - Gravity Main

Very truly yours,

Samuel W. Marshall, P.E., for Banks Engineering, Inc.
(Owner or Name of Corporation)

(Signature)

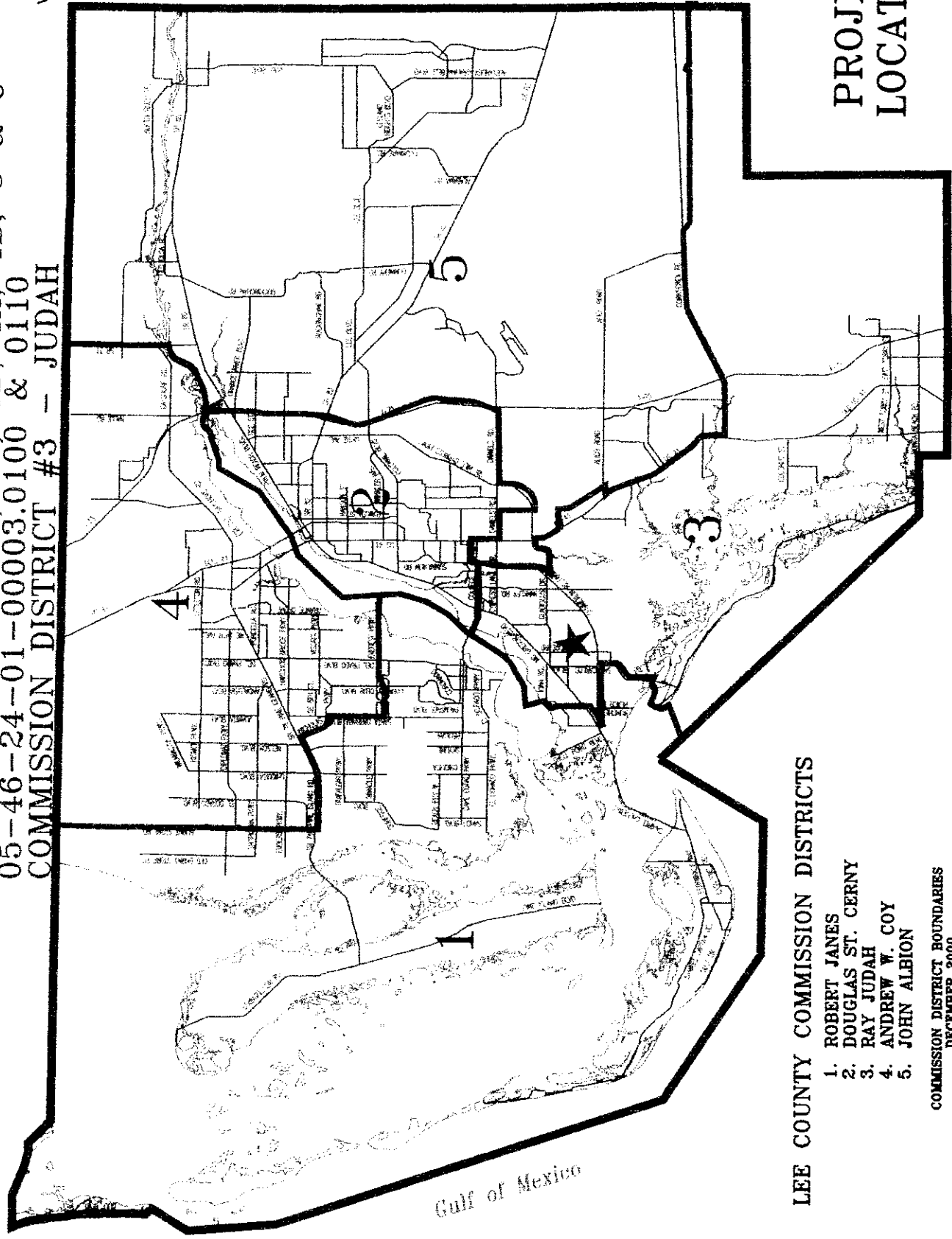
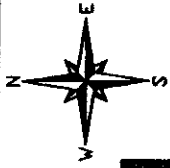
8/26/04
FLA PE 048881

Project Manager
(Title)

(Seal of Engineering Firm)



HERITAGE POINTE, PHASES 2B, 3A, 3B, 4A, 4B, 5 & 6
 05-46-24-01-00003.0100 & 0110
 COMMISSION DISTRICT #3 - JUDAH



LEE COUNTY COMMISSION DISTRICTS

- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. ANDREW W. COY
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES
 DECEMBER 2000

PROJECT
 LOCATION

HERITAGE POINTE - PHASES 2B 3A 3B 4A 4B 5 & 6

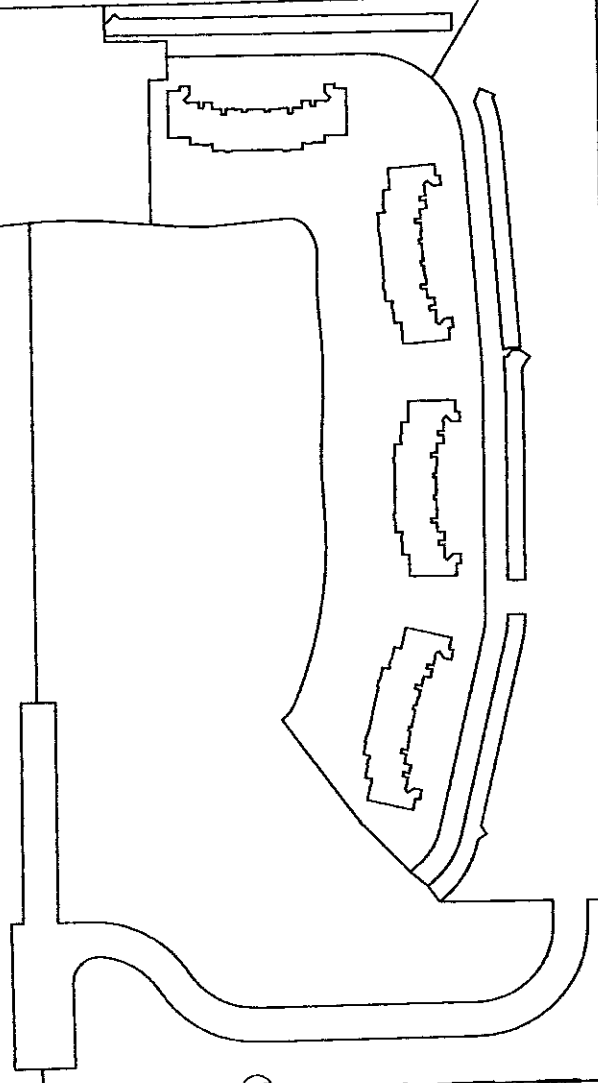
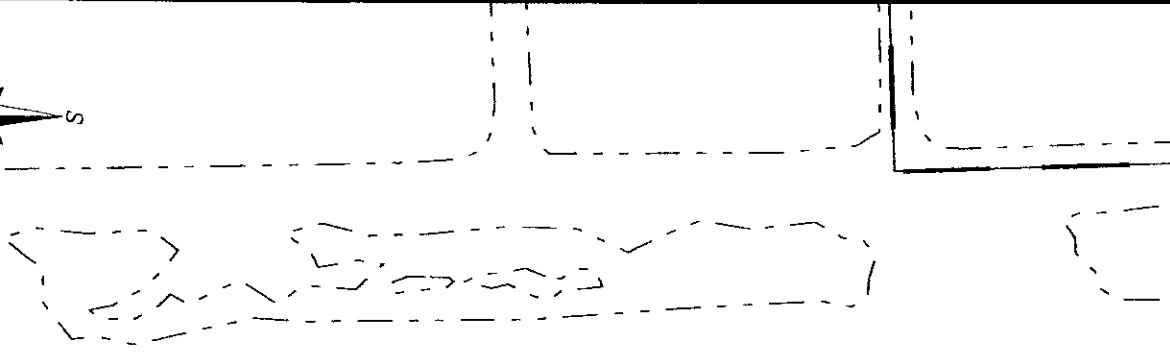
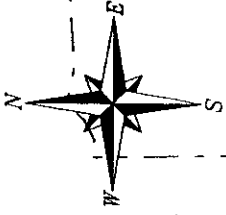
COMMISSION DISTRICT #3 - JUDAH

FUND

SUBJECT PARCELS

SUBJECT PARCELS

00003
0.100



PINE RIDGE RD
742550
139750

PINE RIDGE RD

05-46-24-01-00003.0100 & 0110 LAKE CIRCLE DRIVE

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and/or sewer systems of Heritage Pointe - Phases 2B, 3A, 3B, 4A, 4B, 5 & 6 to be free from defects in material and workmanship for a period of one (1) year from the date of acceptance by the Lee County Board of County Commissioners. The undersigned parties further agree that they will, at their own expense, repair and replace all such defective work and all other work damaged by said defective work under this Warranty-Guaranty

It is furthermore understood that the consideration for the giving of this warranty and/or guaranty is the requirement by the General Conditions and Specifications under which the contract was let that such warranty and/or guaranty would be given.

Dan Mikelson
Mitchell & Stark Const. Co., Inc.

(NAME OF OWNER/CONTRACTOR)


BY: *[Signature]*

(SIGNATURE OF OWNER/CONTRACTOR)

STATE OF FL)
COUNTY OF Lee) SS:

The foregoing instrument was signed and acknowledged before me this 2nd day of July, 2004 by Dan Mikelson who has produced the following as identification - _____, and who did take an oath. who is personally known

Mary C. Gagnon
Notary Public Signature
Mary C. Gagnon
Printed Name of Notary Public

 **Mary C Gagnon**
My Commission DD087084
Expires January 27, 2008

(Notary Seal & Commission Number)

**WAIVER AND RELEASE OF LIEN
UPON FINAL PAYMENT**

The undersigned lienor, in consideration of the final payment in the amount of one hundred twenty one thousand, twenty-nine dollars and 51 cents (\$121,029.51) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to U.S. Home Corporation on the job of Heritage Pointe to the following described property:

<u>Heritage Pointe - Phases 2B, 3A, Part 3B, 4A, & 4B</u> (Name of Development/Project)	<u>water distribution and sanitary sewer systems</u> (Facilities Constructed)
<u>Lake Circle Drive; Fort Myers, FL 33912</u> (Location) (Please provide full name and location of development and a	<u>0546240100003.0100 & .0110</u> (Strap # or Section, Township & Range) description of the utility system constructed).

Dated on: September 24, 2004

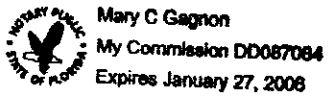
By: <u>[Signature]</u> (Signature of Authorized Representative)	<u>Mitchell & Stark Const. Co., Inc.</u> (Name of Firm or Corporation)
By: <u>DANIEL J. MIKELSON</u> (Print Name of Authorized Representative)	<u>6001 Shirley Street</u> (Address of Firm or Corporation)
Phone #: <u>(239)597-2165 Ext.</u>	<u>Naples, FL 34109-</u> (City, State & Zip Of Firm Or Corporation)
Fax#: <u>(239)566-7865</u>	

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 28 th day of SEPT, 2004 by Daniel J. Mikelson who has produced the following as identification - , and who did not take an oath. who is personally known to me

Mary C. Gagnon
(Notary Public Signature)

(Notary Seal & Commission Number) Mary C. Gagnon
(Printed Name of Notary Public)



WAIVER AND RELEASE OF LIEN
UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of seventy eight thousand , one hundred forty-six dollars and 90 cents (\$78,146.90) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to CMC Enterprises of SW Florida, Inc. on the job of Heritage Pointe to the following described property:

Heritage Pointe - Phases 5, 6 & Part of 3B water distribution and sanitary sewer systems
(Name of Development/Project) (Facilities Constructed)
Lake Circle Drive; Fort Myers, FL 33912 0546240100003.0100 & .0110
(Location) (Strap # or Section, Township & Range)
(Please provide full name and location of development and a description of the utility system constructed).

Dated on: September 24, 2004

By: [Signature] Mitchell & Stark Const. Co., Inc.
(Signature of Authorized Representative) (Name of Firm or Corporation)

By: DANIEL J. MIKELSON 6001 Shirley Street
(Print Name of Authorized Representative) (Address of Firm or Corporation)

Phone #: (239)597-2165 Ext. Naples, FL 34109-
(City, State & Zip Of Firm Or Corporation)

Fax#: (239)566-7865

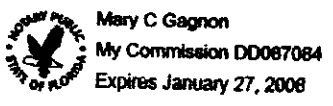
STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 28 th day of SEPT, 2004 by Daniel J. Mikelson who has produced the following as identification - not and who did take an oath. who is personally known to me

[Signature]
(Notary Public Signature)

(Notary Seal & Commission Number)

Mary C. Gagnon
(Printed Name of Notary Public)



CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Heritage Pointe - PH 2B,3A,Part 3B,4A&4B

STRAP NUMBER: 05-46-24-01-00003.0100 and 05-46-24-01-00003.0110

LOCATION: Lake Circle Drive; Fort Myers, FL 33912

OWNER'S NAME: U.S. Home Corporation

OWNER'S ADDRESS: 10481 Six Mile Cypress Parkway

OWNER'S ADDRESS: Fort Myers,FL 33912-

TYPE UTILITY SYSTEM: WATER
(list water, sewer and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system from the drop-down list provided.

<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
PVC C-900 DR-18	10"	1,718.0	LF	\$14.50	\$24,911.00
GATE VALVE	10"	2.0	EA	\$1,400.00	\$2,800.00
GATE VALVE	4"	5.0	EA	\$300.00	\$1,500.00
SINGLE WATER SERVICE/COMPLETE	3"	5.0	EA	\$2,270.00	\$11,350.00
PVC C-900 DR-18	6"	88.0	LF	\$13.77	\$1,211.76
FIRE HYDRANT ASSEMBLY	6"	4.0	EA	\$2,490.00	\$9,960.00
FIRE LINE UP TO AND INCL 1ST OS + Y VALVE	4"	2.0	EA	\$4,650.00	\$9,300.00
<u>TOTAL</u>					\$61,032.76

(If more space is required, use additional forms(s).)

I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Lee County and corresponds with the record drawings.

CERTIFYING:

X *D. Mikelson*
(Signature of Certifying Agent)

Daniel J. Mikelson, Project Manager
(Name & Title of Certifying Agent)

Mitchell & Stark Const. Co., Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(Address of Firm or Corporation)

Naples, FL 34109 -


STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 28th day of September ~~AUG~~, 2004 by Daniel J. Mikelson who is personally known to me - _____, and who did ^{Not} take an oath.

Mary C. Gagnon
Notary Public Signature

Mary C. Gagnon
Printed Name of Notary Public

DD087084
Notary Commission Number

 Mary C Gagnon
My Commission DD087084
Expires January 27, 2006

(NOTARY SEAL)

I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Lee County and corresponds with the record drawings.

CERTIFYING:

X *[Signature]*
(Signature of Certifying Agent)

Daniel J. Mikelson, Project Manager
(Name & Title of Certifying Agent)

Mitchell & Stark Const. Co., Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(Address of Firm or Corporation)

Naples, FL 34109 -


STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 28th day of September, 2004 by Daniel J. Mikelson who is personally known to me - _____, and who did ^{not} take an oath.

Mary C. Gagnon
Notary Public Signature

Mary C. Gagnon
Printed Name of Notary Public

88087084
Notary Commission Number

 Mary C Gagnon
My Commission DD087084
Expires January 27, 2006

(NOTARY SEAL)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Heritage Pointe - PH 2B,3A,Part 3B,4A&4B

STRAP NUMBER: 05-46-24-01-00003.0100 and 05-46-24-01-00003.0110

LOCATION: Lake Circle Drive; Fort Myers, FL 33912

OWNER'S NAME: U.S. Home Corporation

OWNER'S ADDRESS: 10481 Six Mile Cypress Parkway

OWNER'S ADDRESS: Fort Myers,FL 33912-

TYPE UTILITY SYSTEM: SEWER
 (list water, sewer and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES
 Please list each element of the system from the drop-down list provided.

<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
PVC SDR-26 GRAVITY MAIN	8"	1,089.0	LF	\$23.25	\$25,319.25
PVC C-900 DR-18	8"	275.0	LF	\$14.50	\$3,987.50
MANHOLE	4'	4.0	EA	\$4,260.00	\$17,040.00
SINGLE SEWER SERVICE W/CLEANOUT	6"	10.0	EA	\$1,365.00	\$13,650.00
<u>TOTAL</u>					\$59,996.75

(If more space is required, use additional forms(s)).

I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Lee County and corresponds with the record drawings.

CERTIFYING:

X [Signature]
(Signature of Certifying Agent)

Daniel J. Mikelson, Project Manager
(Name & Title of Certifying Agent)

Mitchell & Stark Const. Co., Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(Address of Firm or Corporation)

Naples, FL 34109 -

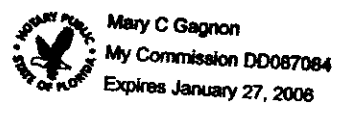
STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 28th day of September, AUG, 2004 by Daniel J. Mikelson who is personally known to me - not, and who did take an oath.

Mary C. Gagnon
Notary Public Signature

Mary C. Gagnon
Printed Name of Notary Public

DD087084
Notary Commission Number



(NOTARY SEAL)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Heritage Pointe - PH 5, 6 & Part of 3B

STRAP NUMBER: 05-46-24-01-00003.0100 and 05-46-24-01-00003.0110

LOCATION: Lake Circle Drive; Fort Myers, FL 33912

OWNER'S NAME: CMC Enterprises of SW Florida, Inc.

OWNER'S ADDRESS: 2317 Harrier Run

OWNER'S ADDRESS: Naples, FL 33908-

TYPE UTILITY SYSTEM: SEWER
 (list water, sewer and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system from the drop-down list provided.

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
PVC SDR-26 GRAVITY MAIN	8"	960.0	LF	\$23.25	\$22,320.00
MANHOLE	4'	5.0	EA	\$4,260.00	\$21,300.00
SINGLE SEWER SERVICE W/CLEANOUT	6"	4.0	EA	\$1,365.00	\$5,460.00
TOTAL					\$49,080.00

(If more space is required, use additional forms(s).)

I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Lee County and corresponds with the record drawings.

CERTIFYING:

X *[Signature]*
(Signature of Certifying Agent)

Daniel J. Mikelson, Project Manager
(Name & Title of Certifying Agent)

Mitchell & Stark Const. Co., Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(Address of Firm or Corporation)

Naples, FL 34109 -

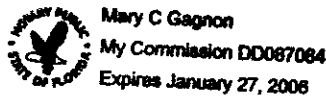
STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 28th day of September, 2004 by Daniel J. Mikelson who is personally known to me - not, and who did take an oath.

Mary C. Gagnon
Notary Public Signature

Mary C. Gagnon
Printed Name of Notary Public

50087084
Notary Commission Number



(NOTARY SEAL)