

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20041278-UTL

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance by Resolution, as a donation of water distribution and gravity collection systems serving COLONIAL SHORES F/K/A VILLAGES OF COCONUT CREEK. This is a developer contributed asset project located on the south side of Iona Road between Cook Road and John Morris Road, approximately 1/2 mile north of McGregor Boulevard.

WHY ACTION IS NECESSARY:

To provide potable water service, fire protection and sanitary sewer service to this recently constructed 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 #: 1

CIOE

3. MEETING DATE: 11-02-2004

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, P.E., Utilities Director
- DATE: 10/14/04

7. BACKGROUND:

The Board granted permission to construct on 08/05/03, Blue Sheet #20030805.
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.
Satisfactory closed circuit television inspection of the gravity collection system has been performed.
As-builts 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 35 TOWNSHIP 45S RANGE 23E DISTRICT #1 COMMISSIONER JANES

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 | |
| <i>J. Lavender</i> Date: 10-15-04 | N/A Date: | N/A Date: | T.O. T. Osterhout Date: 10/14 | <i>S. Covert</i> S. Covert Date: 10/15/04 | <i>ekw</i> 10-15-04 | <i>JK</i> 10/18/04 | <i>JK</i> 10/15/04 | <i>JK</i> 10/15/04 | <i>J. Lavender</i> Date: 10-15-04 |

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 10/15/04
Time: 4:10
Forwarded To: *CC*

RECEIVED BY
COUNTY ADMIN: *JM*
10/15/04
4:40 PM SLT
COUNTY ADMIN
FORWARDED TO: *JM*
10/15/04
9:40

RESOLUTION NO. _____

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

WHEREAS, it is the desire of "Colonial Shores, LLC", owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution system) and sewer facilities (gravity collection system) serving "**COLONIAL SHORES F/K/A VILLAGES OF COCONUT CREEK**"; 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 **\$623,847.50** 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

LETTER OF COMPLETION

DATE: April 30, 2004

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

Gentlemen:

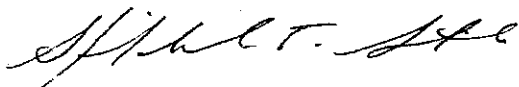
This letter is to certify the **water distribution and sewer gravity collection systems** located in the **Colonial Shores** subdivision were designed and permitted by the original engineering firm, Banks Engineering, Inc. However, Heidt & Associates, Inc., having been appointed as the current engineer for this project, hereby certifies that the construction of this project is in conformance with the **approved plans and specifications**.

Upon completion of the construction, we observed the following successful tests of the facilities: **Bacteriological Test, Pressure Test – Water Main, Pressure Test – Gravity Main, TV Inspection and Mandrill – Gravity Main.**

If you have any questions or we may be of further assistance, please feel free to contact our office.

Sincerely,

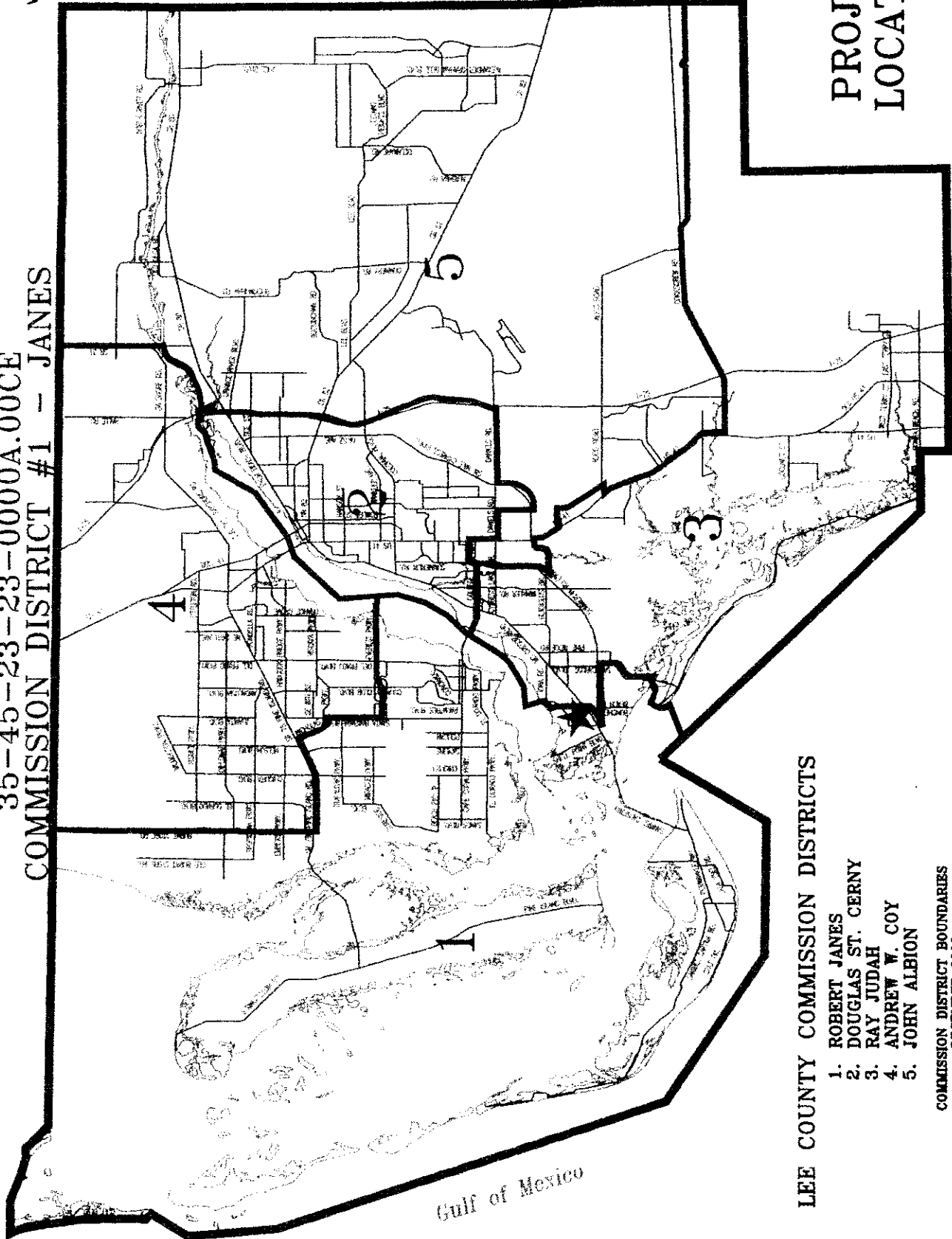
HEIDT & ASSOCIATES, INC.



Strickland T. Smith, P.E.
Vice President
Florida Registered Engineer No. 50652
(Seal of Engineer)



COLONIAL SHORES fna VILLAGES AT COCONUT CREEK
 35-45-23-23-0000A.00CE
 COMMISSION DISTRICT #1 - JANES



LEE COUNTY COMMISSION DISTRICTS

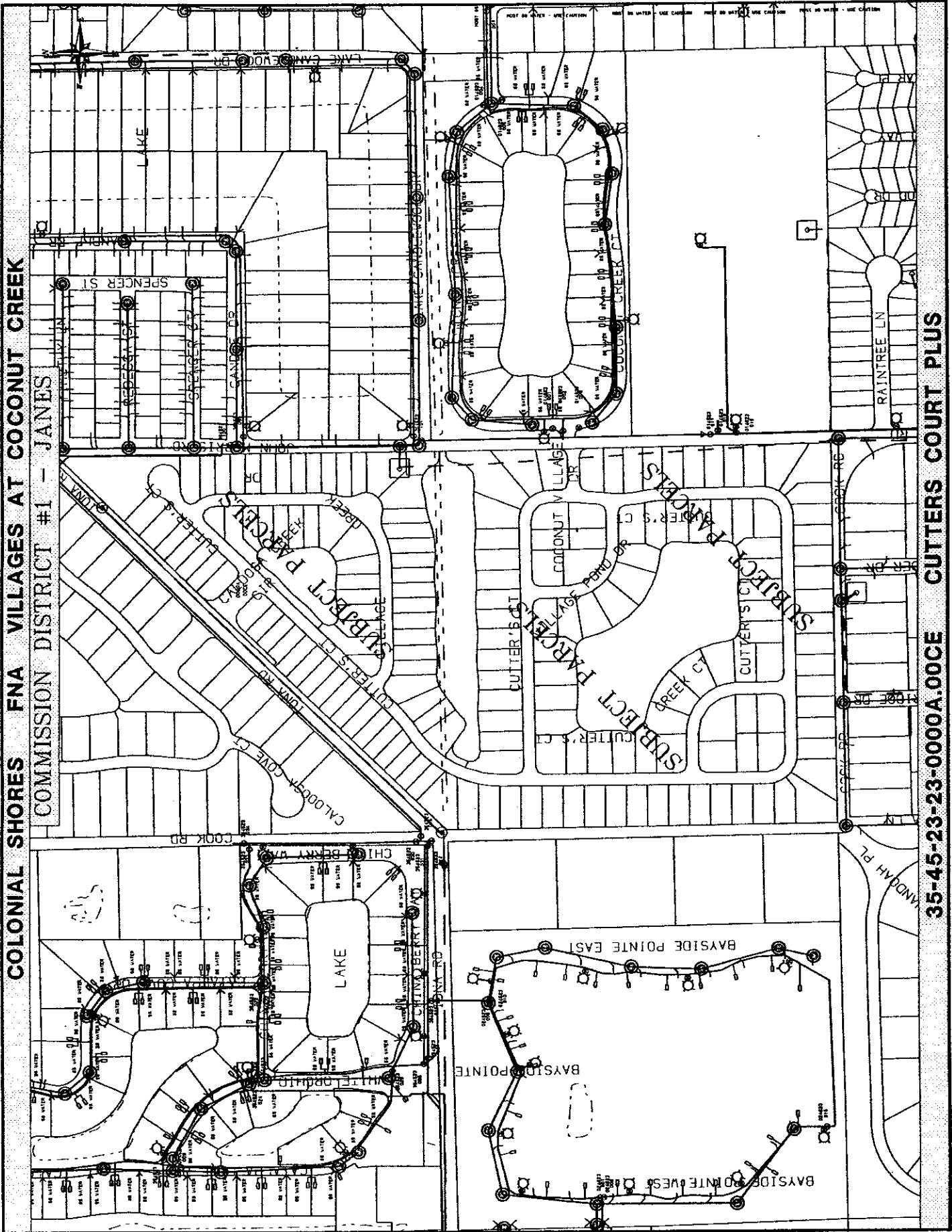
- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. ANDREW W. COY
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES
 DECEMBER 2000

PROJECT
 LOCATION

COLONIAL SHORES FNA VILLAGES AT COCONUT CREEK

COMMISSION DISTRICT #1 - JANES



35-45-23-23-000A.00CE CUTTERS COURT PLUS

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and/or sewer systems of Colonial Shores 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.

Mitchell & Stark Construction Co. Inc.
(NAME OF OWNER/CONTRACTOR)

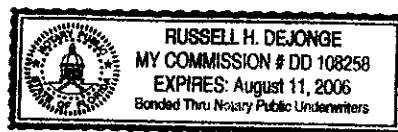
BY: 
(SIGNATURE OF OWNER/CONTRACTOR)

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 26 th day of APR, 2004 by Brian Penner who is personally known to me - _____, and who did not take an oath.


Notary Public Signature

Russell H De Jonge
Printed Name of Notary Public



(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 Six hundred twenty-three thousand eight hundred forty-seven & 50/100 (\$623,847.50) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Colonial Homes, Inc. on the job of Colonial Shores to the following described property:

Colonial Shores
(Name of Development/Project)

water distribution and sanitary sewer systems
(Facilities Constructed)

Cutters Ct, Village Creek Dr., Village Pond Dr., Creek Ct.
(Location)

35-45-23-23-0000A.00CE
(Strap # or Section, Township & Range)

Dated on: September 28, 2004

By: [Signature]
(Signature of Authorized Representative)

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

By: Brian Penner
(Print Name of Authorized Representative)

6001 Shirley Street
(Address of Firm or Corporation)

Title: Vice President'

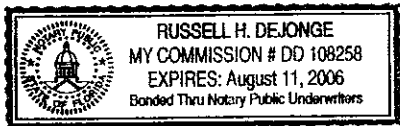
Naples, FL 34109-
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)531-2165 Ext.

Fax#: (239)566-7865

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 28 th day of September, 2004 by Brian Penner who is personally known to me - [Signature], and who did not take an oath.



(Notary Seal & Commission Number)

[Signature]
(Notary Public Signature)

Russell H De Jonge
(Printed Name of Notary Public)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Colonial Shores (f.k.a. Villages of Coconut Creek)
STRAP NUMBER: 35-45-23-23-0000A.00CE
LOCATION: Cutters Ct., Village Creek Dr., Village Pond Dr., Creek Ct.
OWNER'S NAME: (as shown on Deed) Colonial Homes, Inc.
OWNER'S ADDRESS: 12601 Westlinks Drive; Unit 7
OWNER'S ADDRESS: Ft. Myers, FL 33913-

TYPE UTILITY SYSTEM: POTABLE WATER
(Please provide separate 'Certifications' for potable water, sanitary sewer and effluent reuse facilities.)

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 C-900 DR-18 Water Main | 6" | 10.0 | LF | \$9.75 | \$97.50 |
| PVC C-900 DR-18 Water Main | 8" | 7,535.0 | LF | \$13.89 | \$104,661.15 |
| CL-50 DIP Water Main | 8" | 843.0 | LF | \$21.90 | \$18,461.70 |
| STEEL CASING Water Main | 18" | 85.0 | LF | \$212.00 | \$18,020.00 |
| GATE VALVE Water Main | 8" | 27.0 | EA | \$733.20 | \$19,796.40 |
| FIRE HYDRANT ASSEMBLY Water Main | 6" | 14.0 | EA | \$2,340.00 | \$32,760.00 |
| TAPPING SLEEVE W/VALVE Water Main | 10"x8" | 2.0 | EA | \$2,684.00 | \$5,368.00 |
| SINGLE WATER SERVICE/COMPLETE | 1" | 36.0 | LF | \$413.30 | \$14,878.80 |
| DOUBLE WATER SERVICE/COMPLETE | 1" | 68.0 | EA | \$544.00 | \$36,992.00 |
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| TOTAL | | | | | \$251,035.55 |

(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)

Brian Penner, Vice President
(Name & Title of Certifying Agent)

Mitchell & Stark Construction Company, Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(Address of Firm or Corporation)

Naples,, FL 34109 -

STATE OF FL)
) SS:
COUNTY OF Collier)

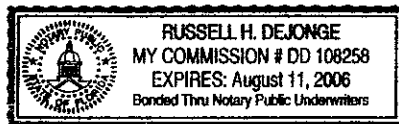
The foregoing instrument was signed and acknowledged before me this 28th day of September, 2004 by Brian Penner who is personally known to me - _____, and who did not take an oath.

[Signature]
Notary Public Signature

Russell H De Jonge
Printed Name of Notary Public

DD 108258
Notary Commission Number

(NOTARY SEAL)



CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Colonial Shores (f.k.a. Villages of Coconut Creek)

STRAP NUMBER: 35-45-23-23-0000A.00CE

LOCATION: Cutters Ct., Village Creek Dr., Village Pond Dr., Creek Ct.

OWNER'S NAME: (as shown on Deed) Colonial Homes, Inc.

OWNER'S ADDRESS: 12601 Westlinks Drive; Unit 7

OWNER'S ADDRESS: Ft. Myers, FL 33913-

TYPE UTILITY SYSTEM: SANITARY SEWER

(Please provide separate 'Certifications' for potable water, sanitary sewer and effluent reuse facilities.)

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" | 7,043.0 | LF | \$20.65 | \$145,437.95 |
| MANHOLE | 4' | 40.0 | EA | \$3,880.00 | \$155,200.00 |
| MANHOLE | 6' | 1.0 | EA | \$3,880.00 | \$3,880.00 |
| SINGLE SEWER SERVICE W/CLEANOUT | 6" | 22.0 | EA | \$677.00 | \$14,894.00 |
| DOUBLE SEWER SERVICE W/CLEANOUT | 6" | 75.0 | EA | \$712.00 | \$53,400.00 |
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| <u>TOTAL</u> | | | | | \$372,811.95 |

(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)

Brian Penner, Vice President
(Name & Title of Certifying Agent)

Mitchell & Stark Construction Company, Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(Address of Firm or Corporation)

Naples, FL 34109 -

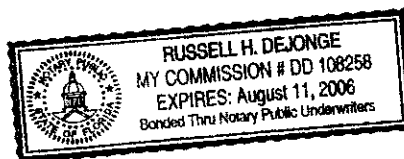
STATE OF FL)
) SS:
COUNTY OF Collier)

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

[Signature]
Notary Public Signature

Russell H De Jonge
Printed Name of Notary Public

DD 108258
Notary Commission Number



(NOTARY SEAL)