

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance by Resolution as a donation of water distribution and gravity collection systems serving Heatherstone at Rookery Pointe. This is a developer contributed asset project located on the south side of Estero Parkway, approximately 1/4 mile west of Three Oaks Parkway in Estero.

WHY ACTION IS NECESSARY:

To provide potable water service, fire protection, and sanitary sewer service to the recently constructed residential development.

WHAT ACTION ACCOMPLISHES:

Places the water and wastewater facilities into operation and complies with the Lee County Utilities Operations Manual.

2. DEPARTMENTAL CATEGORY: 10
COMMISSION DISTRICT #: 5

C10E

3. MEETING DATE:

02-01-2005

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, R.E., Utilities Director
- DATE: 1/18/05

7. BACKGROUND:

This project is located within the former Gulf Environmental Services' service area; however, it was built to Lee County Utilities' Standards and Specifications.

The Board granted approval to construct on 09/23/03; Blue Sheet #20031011.

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.

Record Drawings have been received.

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.


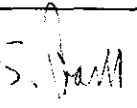



100% of the connection/capacity fees have been paid.

No Funds required.

SECTION 27 TOWNSHIP 46S RANGE 25E DISTRICT #5 COMMISSIONER ALBION

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: 1/18/05	N/A Date:	N/A Date:	T.O. T. Osterhont Date: 1/18	 S. Covert Date: 1/19/05	P.M. 1/19/05	 1/20/05	R. 1/20/05	 1/20/05	 J. Lavender Date: 1/18/05

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
 Date: 1/18/05
 Time: 4:15

RECEIVED BY
COUNTY ADMIN:
1/19/05
9:45 AM S.W.
COUNTY ADMIN
FORWARDED TO: PM
1/20/05
J.P.

Admin 1/19/05

RESOLUTION NO.

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

WHEREAS, it is the desire of "CYPRESS I, LLC", owner of record, to make a contribution to Lee County Utilities of water facilities (**water distribution system**) and sewer facilities (**gravity main extension**) serving "HEATHERSTONE AT ROOKERY POINTE"; 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 **\$232,034.37** 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 Tammy Hall: _____ (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: 5/5/2004

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

Gentlemen:

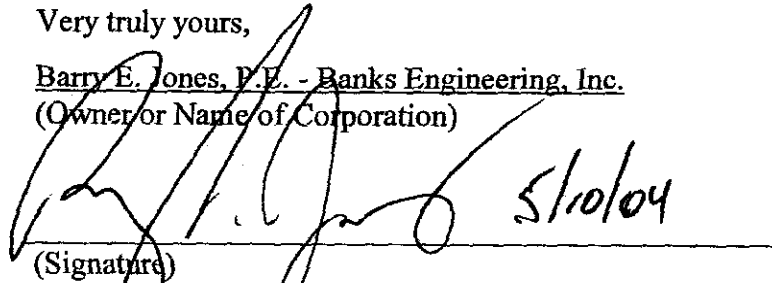
This is to certify that the **water distribution and sanitary sewer** systems located in
Heatherstone at Rookery Pointe
(Name of Development)

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:
**Pressure Test(s) - Water Main , Low Pressure Test(s) - Gravity Main , Bacteriological Test
and TV Inspection, Mandrill - Gravity Main**

Very truly yours,

Barry E. Jones, P.E. - Banks Engineering, Inc.
(Owner or Name of Corporation)

 5/10/04

(Signature)

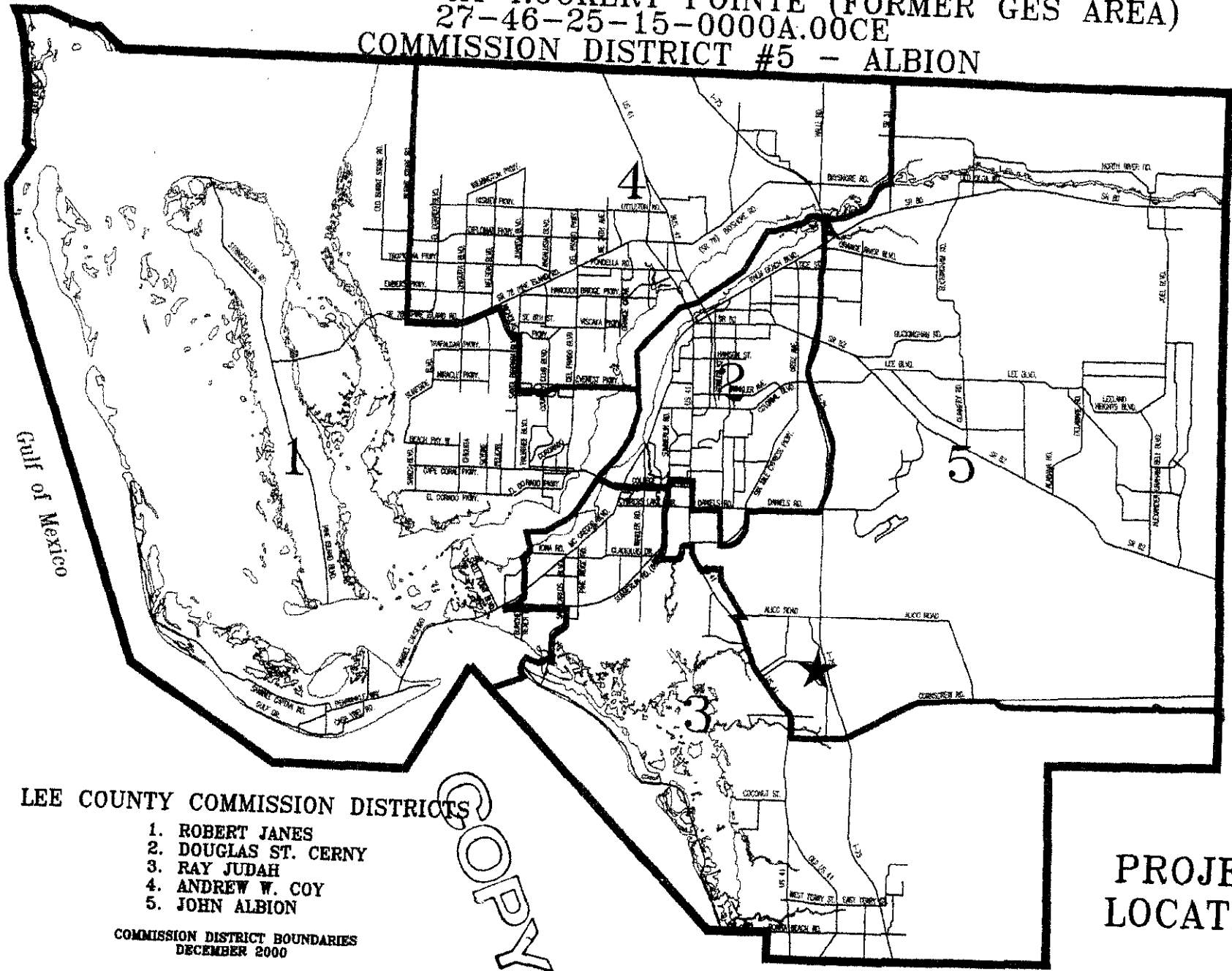
Senior Project Engineer
(Title)

(Seal of Engineering Firm)

COPY



HEATHERSTONE AT ROOKERY POINTE (FORMER GES AREA)
 27-46-25-15-0000A.00CE
 COMMISSION DISTRICT #5 - ALBION



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

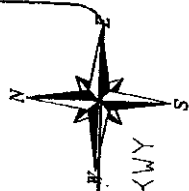
COPY

PROJECT
 LOCATION

- HEATHERSTONE AT ROOKERY POINT -

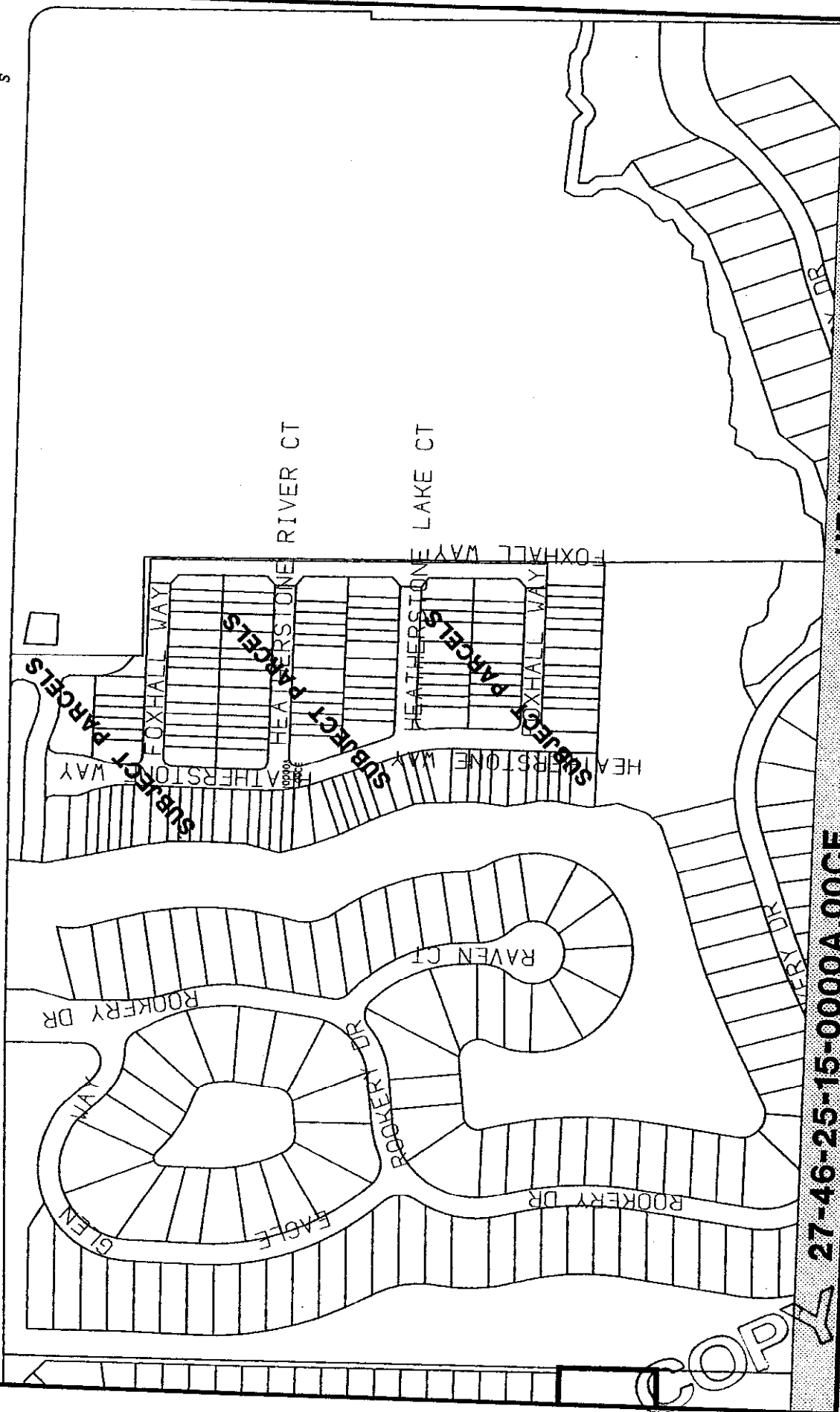
COMMISSION DISTRICT #5 - ALBION

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ESTERO PKWY



HEATHERSTONE WAY

27-46-25-15-0000A.00CE

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of HEATHERSTONE AT ROOKERY POINTE 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.


(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 19th day of APR, 2004 by DAVID C. SCAFIDI who is personally known to me - _____, and who did not take an oath.



Notary Public Signature

MORRIS SONS
Printed Name of Notary Public

 Morris Sons
My Commission DD059332
Expires January 07 2006

(Notary Seal & Commission Number)

COPY



WAIVER AND RELEASE OF LIEN UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of Two Hundred Thirty-two Thousand Thirty-Four and 37/100(\$232,034.37) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Cypress I, LLC on the job of Heatherstone at Rookery Pointe to the following described property:

Heatherstone at Rookery Pointe
(Name of Development/Project)

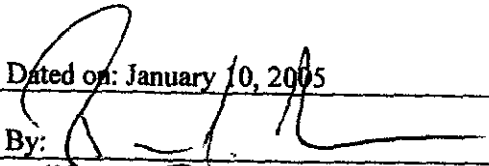
water distribution and sanitary sewer systems
(Facilities Constructed)

Heatherstone Way., Heatherstone River Ct., Heatherstone Lake Ct. & Foxhall Wy.
(Location)

27-46-25-15-0000A.00CE

(Strap # or Section, Township & Range)

Dated on: January 10, 2005

By: 
(Signature of Authorized Representative)

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

By: David Scafidi
(Print Name of Authorized Representative)

6001 Shirley St.
(Address of Firm or Corporation)

Title: Project Manager

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

Phone #: (239)597-2165 Ext.27

Fax#: (239)566-7865


STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 10th day of January, 2005 by David Scafidi who is personally known to me - _____, and who did not take an oath.



Belinda Burgbacher
Commission #DD179217
Expires: Jan 22, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

(Notary Seal & Commission Number)


(Notary Public Signature)

Belinda Burgbacher
(Printed Name of Notary Public)

COPY



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 of Certifying Agent)

David C. Scaffidi, Project Manager
(Name & Title of Certifying Agent)

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

6001 Shirley St.
(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 10 th day of January, 2005 by David C. Scaffidi who is personally known to me - _____, and who did not take an oath.

Belinda Burgbacher
Notary Public Signature

Belinda Burgbacher
Printed Name of Notary Public

Notary Commission Number



Belinda Burgbacher
Commission #DD179217
Expires: Jan 22, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

(NOTARY SEAL)

COPY



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CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Heatherstone at Rookery Pointe

STRAP NUMBER: 27-46-25-15-0000A.00CE

LOCATION: Heatherstone Wy., Heatherstone Lake Ct., Heatherstone River Ct. & Foxhall Wy.

OWNER'S NAME: (as shown on Deed) Cypress I, LLC

OWNER'S ADDRESS: 301 W. Warner Rd., Suite 134

OWNER'S ADDRESS: Tempe,AZ 85284-

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"	2,365.0	LF	\$16.32	\$38,596.80
MANHOLE	4'	10.0	EA	\$3,028.00	\$30,280.00
SINGLE SEWER SERVICE W/CLEANOUT	6"	1.0	EA	\$645.00	\$645.00
DOUBLE SEWER SERVICE W/CLEANOUT	6"	64.0	EA	\$645.00	\$41,280.00
TOTAL					\$110,801.80

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


LEE COUNTY
SOUTHWEST FLORIDA
Contractor's Certification of Contributory Assets - Form (June 2004)

COPY



C:\Documents and Settings\Oscaffidi.MSFLORIDA\Local Settings\Temporary Internet Files\OLK732\Heatherstone at Rookery Pointe - Sewer Certification of Contributory Assets.doc

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 of Certifying Agent)

David C. Scaffidi, Project Manager
(Name & Title of Certifying Agent)

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

6001 Shirley St.
(Address of Firm or Corporation)

Naples, FL 34109 -

STATE OF FL)
) SS:
COUNTY OF Collier)


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Notary Public Signature

Belinda Burgbacher
Printed Name of Notary Public

Notary Commission Number

 **Belinda Burgbacher**
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Expires: Jan 22, 2007
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