

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20050329-UTL

1. Action Requested/Purpose:

Approve final acceptance, by Resolution, as a donation of water distribution and gravity collection systems serving *ORANGE TREE BEND AT VERANDAH* to provide potable water service, fire protection and sanitary sewer service to this phase of the residential development. This is a Developer Contributed asset project located on the south side of State Road 80, approximately 1/2 mile east of State Road 31.

2. What Action Accomplishes:

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Operations Manual.

3. Management Recommendation:

Lee County Utilities requests that the County Manager's office recommend approval of this item.

4. Departmental Category: 10

C10D

5. Meeting Date:

04-19-2005

6. Agenda:

- Consent
- Administrative
- Appeals
- Public
- Walk-On

7. Requirement/Purpose (specify)

- Statute
- Ordinance
- Admin. Code
- Other Approval

8. Request Initiated:

Commissioner: *[Signature]*
 Department: Public Works
 Division: Utilities
 By: *[Signature]* **3/31/05**
 Rick Diaz, P. E., Utilities Director

9. Background:

The Board granted permission to construct on 07/27/04, Blue Sheet #20040869.
 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 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 31 TOWNSHIP 43S RANGE 26E DISTRICT #5 COMMISSIONER ALBION

10. Review for Scheduling

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager / P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>[Signature]</i> J. Lavender Date: 4/4/05	N/A	N/A	<i>T.O.</i> T. Osterhout Date: 3/31	<i>S. Covert</i> S. Covert Date: 4/4/05	<i>[Signature]</i> 4/8/05	<i>[Signature]</i> 4/7/05	<i>[Signature]</i> 4/7/05	<i>[Signature]</i> 4/7	<i>[Signature]</i> J. Lavender Date: 4/4/05

11. Commission Action

Approved Deferred Denied

Rec. by CoAtty
 Date: *4/5/05*
 Time: *8:10*
 Forwarded To: *[Signature]*
4/16/05

RECEIVED BY
 COUNTY ADMIN:
4-6-05 *mp*
 1 pm *Other* *PM*
 COUNTY ADMIN
 FORWARDED TO:
4/7/05
 1 pm

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

WHEREAS, it is the desire of "Verandah Development LLC", owner of record, to make a contribution to Lee County Utilities of water facilities (a water distribution system) and sewer facilities (a gravity collection system) serving "**ORANGE TREE BEND AT VERANDAH**"; 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 **\$91,288.16** 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

COPY

LETTER OF COMPLETION

DATE: March 10, 2005

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

Mr. James P. Ward
District Manager
210 North University Drive, Suite 702
Coral Springs, Florida 33071

Gentlemen:

This is to certify that the **water distribution and sanitary sewer** located in
Orangetree Bend at Verandah
(Name of Development/Project)

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:

Low Pressure Test(s) - Gravity Main, Pressure Test(s) - Water Main

TV Inspection, Mandrill - Gravity Main and Bacteriological Tests - Water Main

Very truly yours,

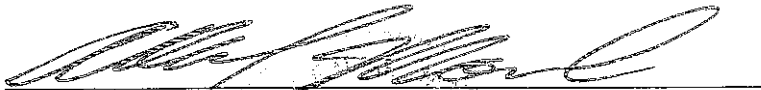
Allen J. Mank, P.E. for Johnson Engineering, Inc.

Fl. Reg. No. 45937

2158 Johnson Street Fort Myers, Florida 33901

(239) 334-0046 (239) 334-3661

E.B. #642 and L.B. #642

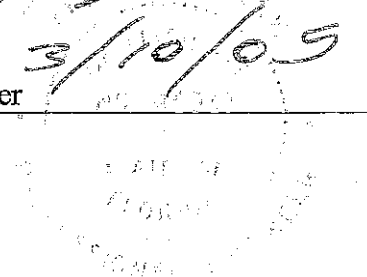


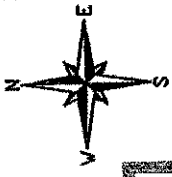
(Signature)

Project Engineer

(Title)

(Seal of Engineering Firm)

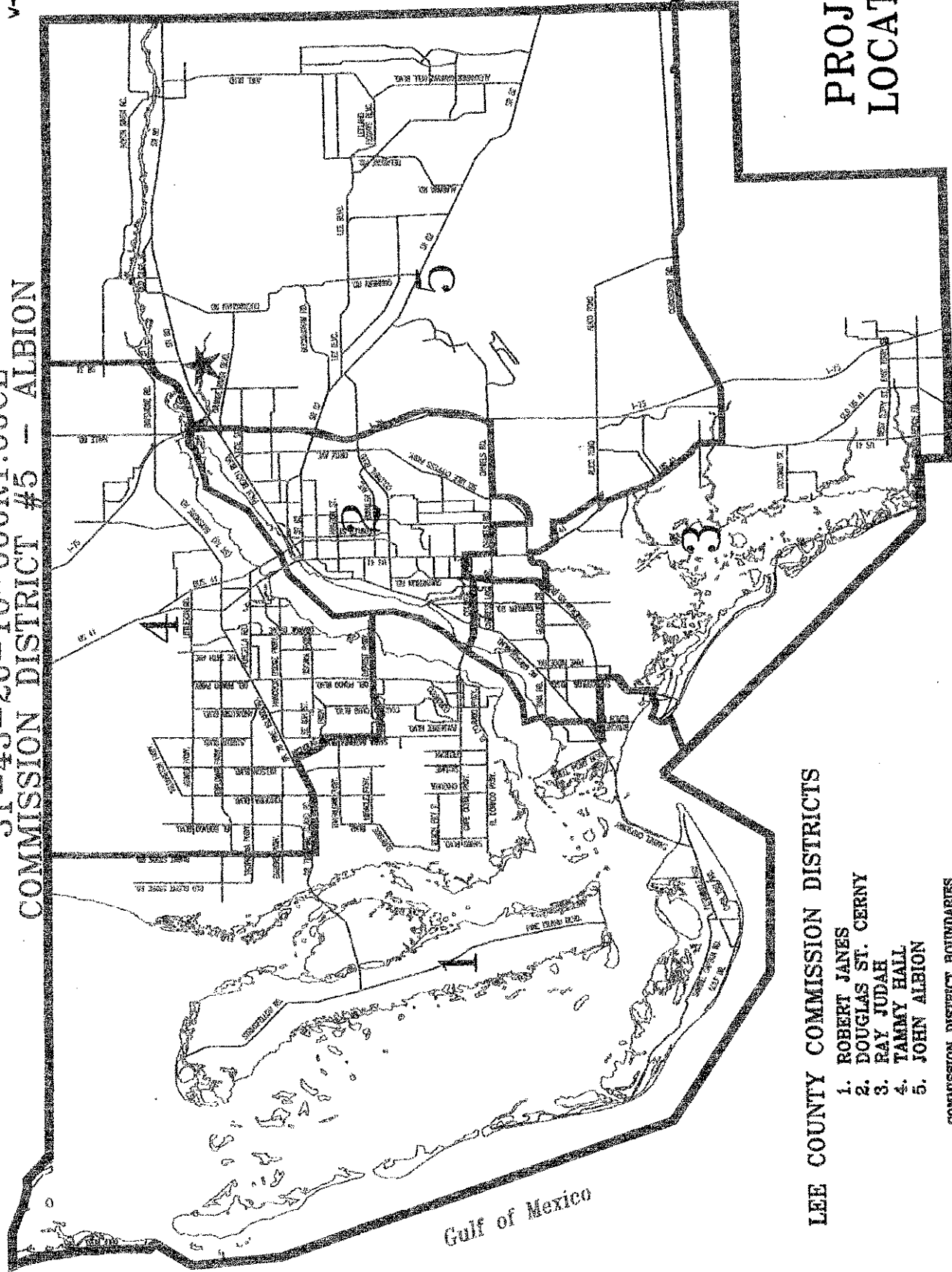




COPY

PROJECT LOCATION

VERANDAH - ORANGETREE BEND AT VERANDAH
31-43-26-10-000R1.00CE
COMMISSION DISTRICT #5 - ALBION



LEE COUNTY COMMISSION DISTRICTS

1. ROBERT JANES
2. DOUGLAS ST. CERNY
3. RAY JUDAH
4. TAMMY HALL
5. JOHN ALEJON

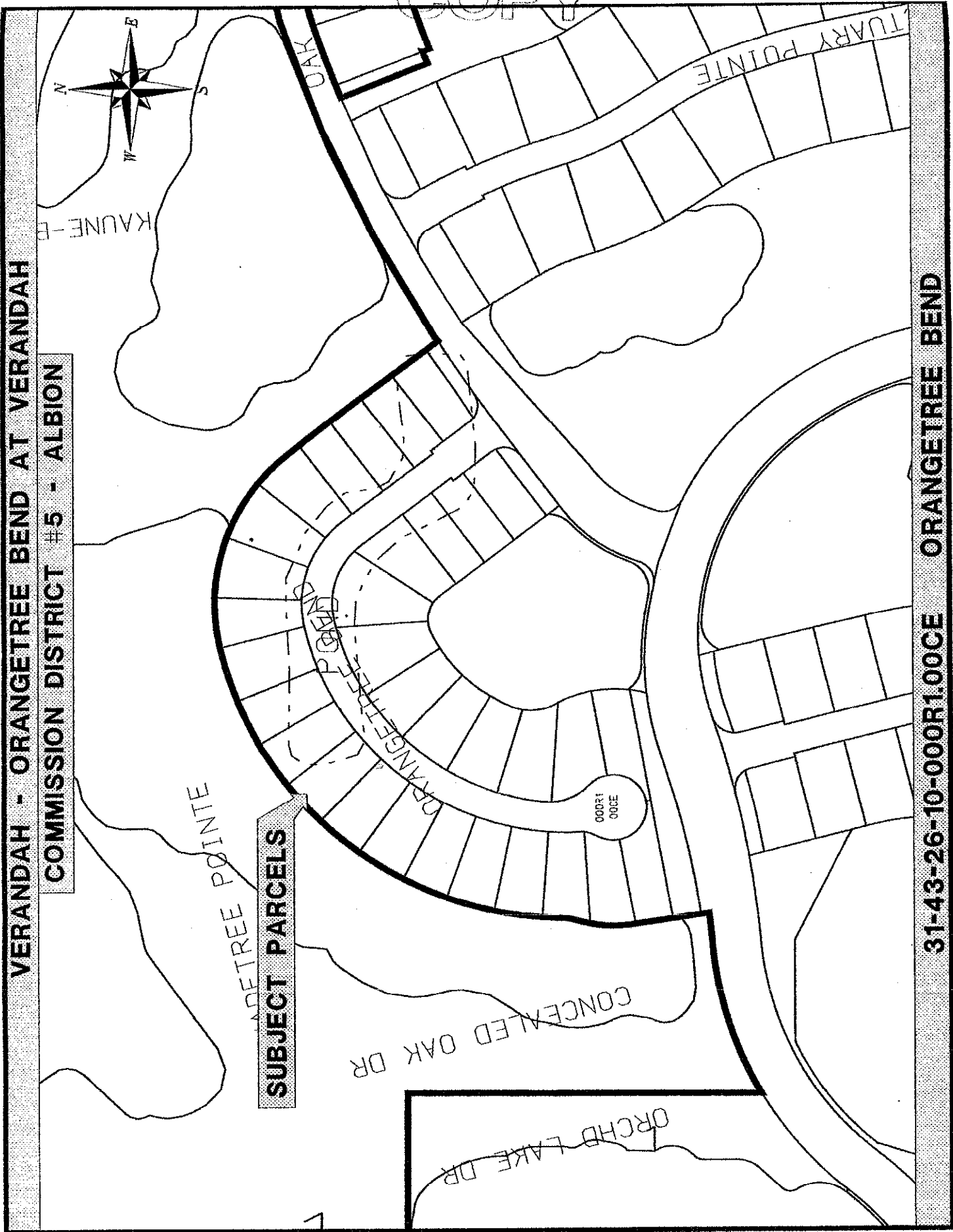
COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

Gulf of Mexico

COPY

VERANDAH - ORANGETREE BEND AT VERANDAH
COMMISSION DISTRICT #5 - ALBION

31-43-26-10-000R1.00CE ORANGETREE BEND



SUBJECT PARCELS

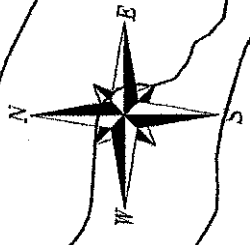
ORANGETREE BEND

CONCEALED OAK DR

ORCHARD LAKE DR

KAUNE-F

000R1
00CE



COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer system of (Name of Development): Orangetree Bend at Verandah 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 OR CONTRACTOR)


BY:


(SIGNATURE & TITLE)
Brian Penner, Vice President

STATE OF Florida)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 16 th day of December, 2004 by Brian Penner who has produced P560-076-59-348-O as identification, and who (did) (did not) take an oath.

(NOTARY SEAL)

 Morris Sons
My Commission DD059332
Expires January 07 2008


Notary Public Signature

Morris Sons
Printed Name of Notary Public

DD059332
Notary Commission Number



COPY

WAIVER AND RELEASE OF LIEN
UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of Ninety-One Thousand Two Hundred Eighty-Eight Dollars & 16/100(\$91,288.16) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Verandah Development LLC (fka State Road 80 LLC) on the job of Orangetree Bend at Verandah to the following described property:

Orangetree Bend at Verandah
(Name of Development/Project)

water distribution and sanitary sewer systems
(Facilities Constructed)

Orangetree Bend
(Location)

31-43-26-10-000R1.00CE
(Strap # or Section, Township & Range)

Dated on: February 3, 2005

By: [Signature]
(Signature of Authorized Representative)

Mitchell & Stark Const. 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)597-2165 Ext.25

Fax#: (239)566-7865


STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 3 rd day of February, 2005 by Brian Penner who is personally known to me - N/A , and who did not take an oath.

[Signature]
(Notary Public Signature)

(Notary Seal & Commission Number)

Morris Sons
(Printed Name of Notary Public)

 Morris Sons
My Commission DD059332
Expires January 07 2006



COPY

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Orangetree Bend at Verandah

STRAP NUMBER: 31-43-26-10-000R1.00CE

LOCATION: Orangetree Bend, Ft. Myers, FL 33905

OWNER'S NAME: Verandah Development LLC (F.K.A., State Road 80 LLC)

OWNER'S ADDRESS: .9990 Coconut Road, Suite 200

OWNER'S ADDRESS: Bonita Springs, FL 34135-

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	8"	1,284.0	LF	\$19.54	\$25,089.36
GATE VALVE	8"	1.0	EA	\$939.00	\$939.00
FIRE HYDRANT ASSEMBLY	6"	2.0	EA	\$2,855.00	\$5,710.00
SINGLE WATER SERVICE/COMPLETE	1"	16.0	EA	\$409.00	\$6,544.00
DOUBLE WATER SERVICE/COMPLETE	1"	8.0	EA	\$540.00	\$4,320.00
TOTAL					\$42,602.36

(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 of Certifying Agent)

L.D. Neal, 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 Collier)

The foregoing instrument was signed and acknowledged before me this 16 th day of December, 2004 by L.D. Neal, Project Manager who is personally known to me - _____, and who did not take an oath.

Notary Public Signature

Morris Sons

Printed Name of Notary Public

DD059332

Notary Commission Number



Morris Sons
My Commission DD059332
Expires January 07 2006

(NOTARY SEAL)



COPY

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Orangetree Bend at Verandah

STRAP NUMBER: 31-43-26-10-000R1.00CE

LOCATION: Orangetree Bend, Ft. Myers, FL 33905

OWNER'S NAME: Verandah Development LLC (F.K.A., State Road 80 LLC)

OWNER'S ADDRESS: 9990 Coconut Road, Suite 200

OWNER'S ADDRESS: Bonita Springs, FL 34135-

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.

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
PVC SDR-26 GRAVITY MAIN	8"	735.0	LF	\$22.88	\$16,816.80
MANHOLE	4'	5.0	EA	\$3,825.80	\$19,129.00
SINGLE SEWER SERVICE W/CLEANOUT	4"	4.0	EA	\$666.50	\$2,666.00
DOUBLE SEWER SERVICE W/CLEANOUT	6"	11.0	EA	\$737.40	\$8,111.40
DOUBLE WATER SERVICE/COMPLETE, RELOCATE	6"	3.0	EA	\$900.00	\$2,700.00
SINGLE SEWER SERVICE W/CLEANOUT, REMOVE	6"	-1.0	EA	\$737.40	(\$737.40)
TOTAL					\$48,685.80

(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 *L. Neal*
(Signature of Certifying Agent)

L.D. Neal, 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 Collier)

The foregoing instrument was signed and acknowledged before me this 16 th day of December, 2004 by L.D. Neal, Project Manager who is personally known to me - _____, and who did not take an oath.

Morris Sons
Notary Public Signature

Morris Sons
Printed Name of Notary Public

DD059332
Notary Commission Number

 Morris Sons
My Commission DD059332
Expires January 07 2006

(NOTARY SEAL)

