

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

Blue Sheet No. 20060880-UTL

1. Action Requested/Purpose:

Approve final acceptance, by Resolution as a donation of a water distribution and gravity collection system to provide potable water service, fire protection and sanitary sewer service to *D-75 Commerce Center*, a recently constructed commercial subdivision. This is a Developer Contributed asset project located on the southwest corner of I-75 and Daniel Parkway.

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:

Approval.

4. Departmental Category: 10 – Utilities **C10W**

5. Meeting Date: **08-01-2006**

6. Agenda:
 Consent
 Administrative
 Appeals
 Public
 Walk-On

7. Requirement/Purpose (specify)
 Statute
 Ordinance
 Admin. Code
 Other **Approval**

8. Request Initiated:
 Commissioner _____
 Department **Public Works**
 Division **Utilities**
 By: *S. Iy* **7/13/06**
S. Ivan Velez, P.E. Acting Director

9. Background:

The Board granted permission to construct on 03/02/04, Blue Sheet #20040112.
 The installation has been inspected for conformance to the Lee County Utilities Operations Manual. Satisfactory pressure and bacteriological testing has been completed.
 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 Contributed Assets has been provided—copy attached.
 100% of the connection fees have been paid.
 No Funds required.

SECTION 22 TOWNSHIP 46S RANGE 25E 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>J. Lavender</i> Date: 7-17-06	N/A	N/A	<i>T.O.</i> T. Osterhout Date: 7/13	<i>S. Covert</i> Date: 7/18/06	<i>ghw</i> 7/19/06	<i>wd</i> 7/19/06	<i>ky</i> 7/19/06	<i>ghw</i> 7/19/06	<i>J. Lavender</i> Date: 7.17.06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN:
 7-18-06 4:00 pm.
 COUNTY ADMIN
 FORWARDED TO: *ML*
 7/19/06 2:15 pm

Rec. by CoAtty
 Date: 7/18/06
 Time: 11:30 am
 Forwarded To:
 7/18/06 2:40 pm

RESOLUTION NO.

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

WHEREAS, it is the desire of "D75, LLC", owner of record, to make a contribution to Lee County Utilities of water facilities (**Potable water, fire protection**), and sewer facilities (**Gravity main and sanitary sewer service**), serving "**D75 COMMERCE CENTER**"; 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 **\$396,415.00** 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 Tammara Hall: _____ (4)
- Commissioner John Albion: _____ (5)

DULY PASSED AND ADOPTED this _____ day of _____, 2006.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
DEPUTY CLERK

By: _____
TAMMARA HALL, CHAIRWOMAN

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

BS 20060880-UTL

LETTER OF COMPLETION

COPY

DATE: 10/26/2005

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
D75 Commerce Center
(Name of Development/Project)

were designed by me and have been constructed in conformance with:

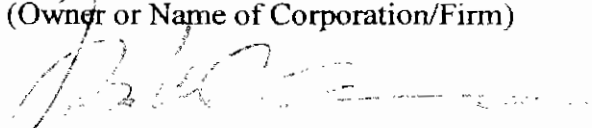
the approved plans and the approved specifications

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

**Bacteriological Test , Pressure Test(s) - Water Main , Low Pressure Test(s) - Gravity Main ,
TV Inspection, Mandrill - Gravity Main , Pressure Test(s) - Force Main
and Lift Station Start-up**

Very truly yours,

Morris-Depew Associates, Inc.
(Owner or Name of Corporation/Firm)



(Signature)

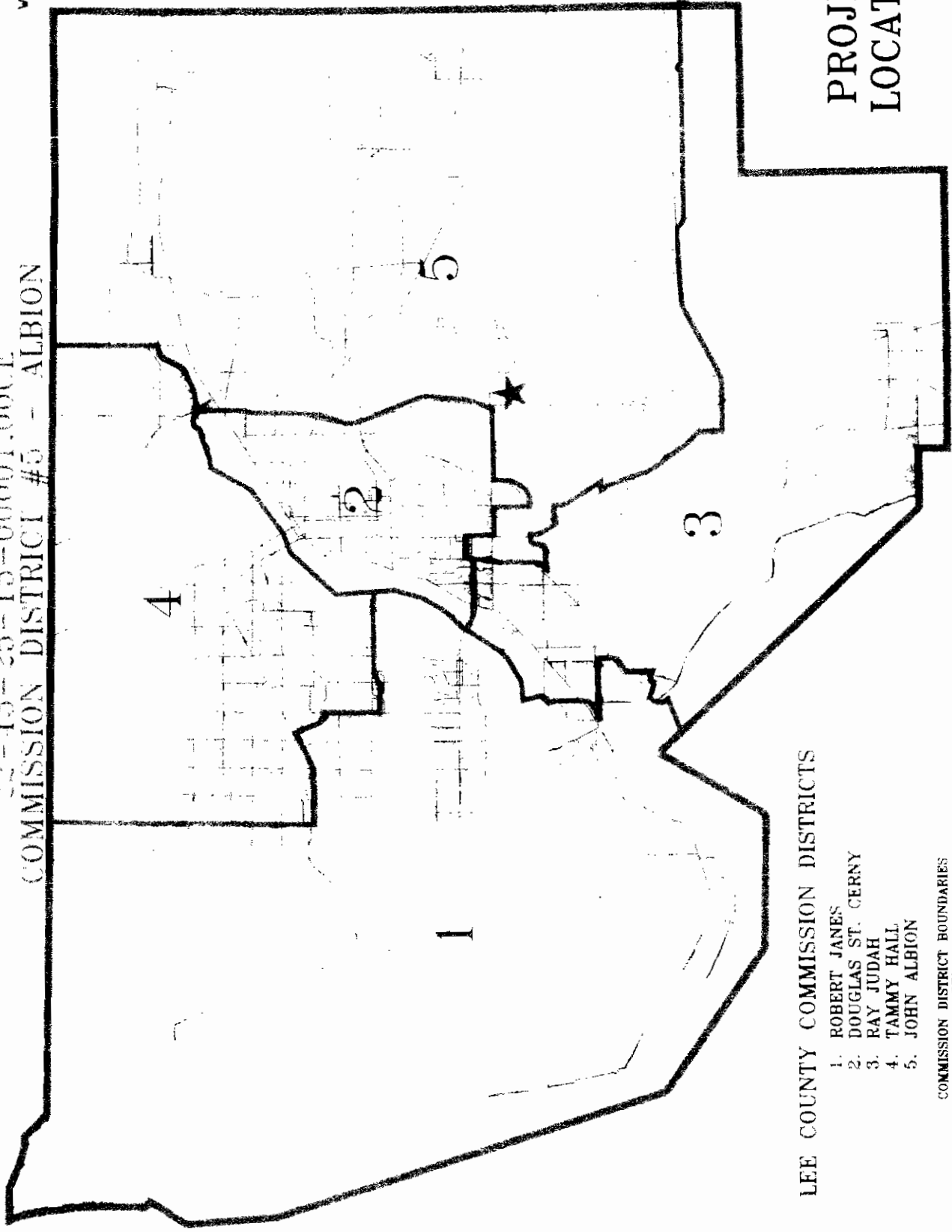
M. William Morris, Jr. PE
(Name and Title)

(Seal of Engineering Firm)

RECEIVED OCT 31 2005



D-75 COMMERCE CENTER
02-15-25-15-00001.00CE
COMMISSION DISTRICT #5 - ALBION



PROJECT LOCATION

LEE COUNTY COMMISSION DISTRICTS

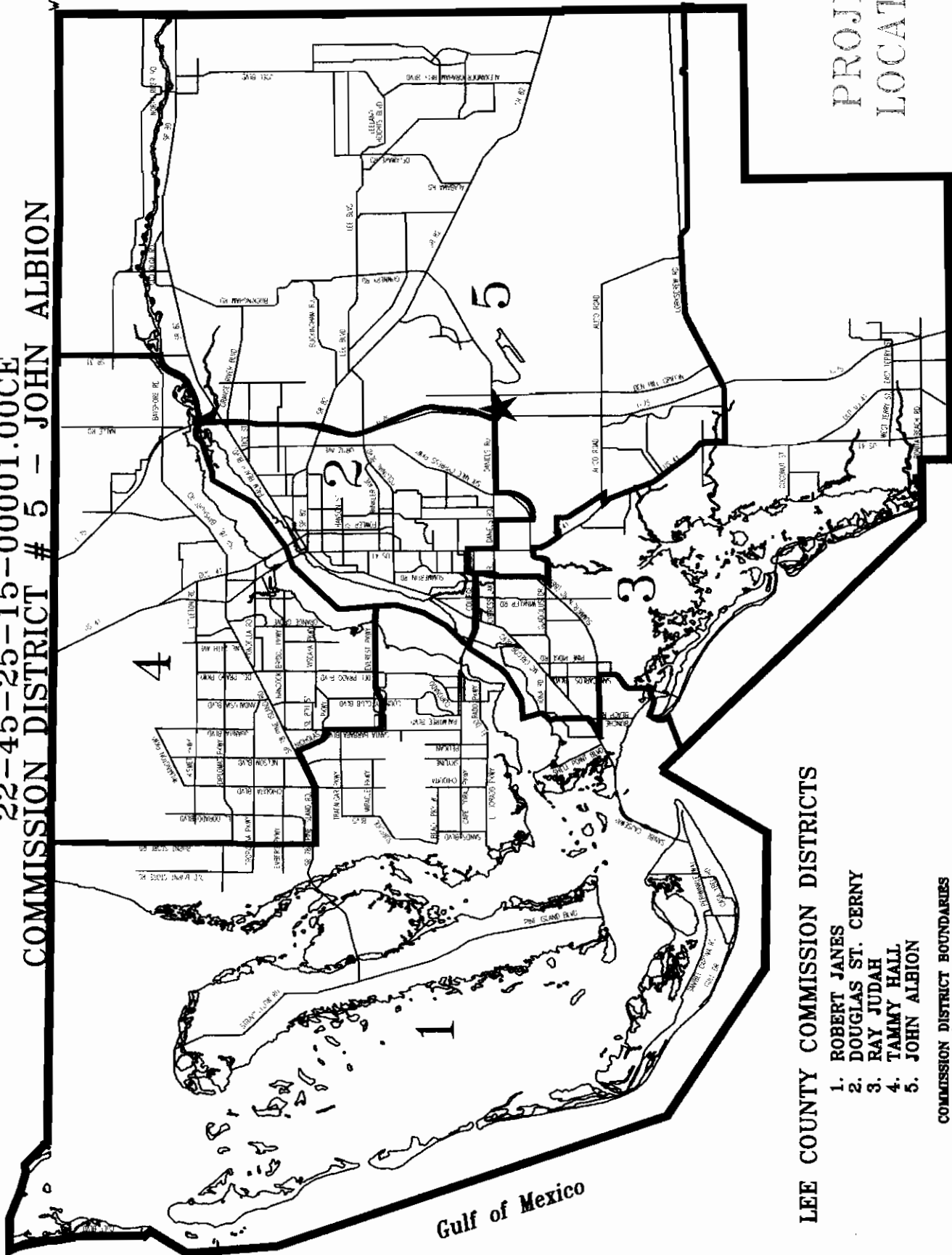
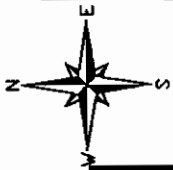
- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. TAMMY HALL
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

COPY

PROJECT LOCATION

D-75 COMMERCE CENTER
22-45-25-15-00001.00CE
COMMISSION DISTRICT # 5 - JOHN ALBION



LEE COUNTY COMMISSION DISTRICTS

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

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

Gulf of Mexico

D-75 COMMERCE CENTER

COMMISSION DISTRICT #5 - ALBION

SUBJECT PARCELS

SUBJECT PARCELS

I-75

I-75



DANIELS PKWY

DANIELS PKWY

DANIELS INTERSTATE C

INTERCOM DR

INTERCOM DR

INTERCOM DR

JETPORT LN

JETPORT LN

JETPORT COMMERCE PKWY

JETPORT COMMERCE PKWY

JETPORT COP

JETPORT COP

JETPORT LOOP

DANIELS INTERSTATE CT

22-45-25-15-00001.00CE

D-75 COMMERCE CENTER

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water system of D75 COMMERCE CENTER 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.

Cabana Construction Company, Inc.
(Name of Owner/Contractor)

BY: *Kenneth Cabana*
(Signature of Owner/Contractor)

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 21 st day of JAN, 2005 by Kenneth Cabana who is personally known to me - , and who did not take an oath.

Elizabeth O. Pettit
Notary Public Signature



Elizabeth O. Pettit
Printed Name of Notary Public

(Notary Seal & Commission Number)

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the sewer system of D75 COMMERCE CENTER 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

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0005

WAIVER AND RELEASE OF LIEN UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of Three hundred ninety-six thousand four hundred fifteen dollars (\$396,415.00) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Bundschu Kraft on the job of D75 Commerce Center to the following described property:

D75 Commerce Center
(Name of Development/Project)

water distribution and sanitary sewer systems
(Facilities Constructed)

Daniels Interstate Court
(Location)

22-45-25-15-00001.00CE
(Strap # or Section, Township & Range)

Dated on: January 21, 2005

By: *Kenneth Cabana*
(Signature of Authorized Representative)

Cabana Construction Co., Inc.
(Name of Firm or Corporation)

By: Kenneth Cabana
(Print Name of Authorized Representative)

P.O. Box 60639
(Address of Firm or Corporation)

Title: Vice-President

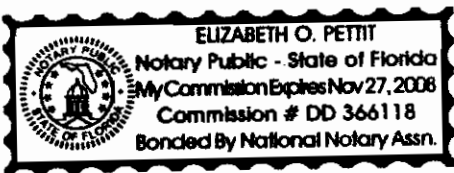
Ft. Myers, FL 33906-
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)332-1665 Ext.15

Fax#: (239)332-4836

STATE OF FL)
) SS:
COUNTY OF Lee)

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(Notary Seal & Commission Number)

Elizabeth O. Pettit
(Notary Public Signature)

Elizabeth O. Pettit
(Printed Name of Notary Public)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: D75 COMMERCE CENTER

STRAP NUMBER: 22-45-25-15-00001.00CE

LOCATION: DANIELS INTERSTATE COURT

OWNER'S NAME: (as shown on Deed) D75 LLC

OWNER'S ADDRESS: 6700-1 DANIELS PARKWAY

OWNER'S ADDRESS: FT. MYERS, FL 33912-

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>
LIFT STATION	6'	1.0	LS	\$103,245.00	\$103,245.00
MANHOLE	6'	1.0	LS	\$5,500.00	\$5,500.00
MANHOLE	4'	13.0	EA	\$3,000.00	\$39,000.00
PVC SDR-26 GRAVITY MAIN	10"	3,457.0	LF	\$25.00	\$86,425.00
PVC C-900 DR-18	4"	1,375.0	LF	\$15.00	\$20,625.00
PVC C-900 DR-18	6"	89.0	LF	\$20.00	\$1,780.00
STEEL CASING	16"	30.0	LF	\$50.00	\$1,500.00
<u>TOTAL</u>					\$258,075.00

(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 of Certifying Agent)

Kenneth Cabana / Vice-President

(Name & Title of Certifying Agent)

Cabana Construction Co., Inc.

(Name of Firm or Corporation)

P.O. Box 60639

(Address of Firm or Corporation)

Ft. Myers, FL 33906 -

STATE OF FL)

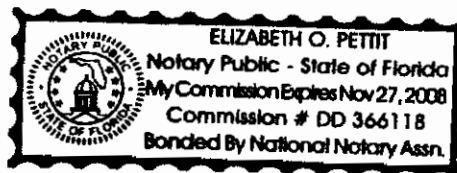
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COUNTY OF Lee)

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Printed Name of Notary Public



Notary Commission Number

(NOTARY SEAL)

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X *Kenneth Cabana*

(Signature of Certifying Agent)

Kenneth Cabana / Vice-President

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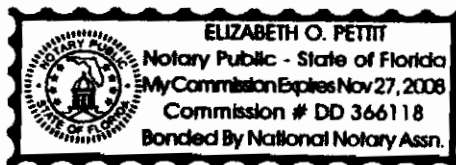
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