

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

Blue Sheet No. 20061147-UTL

1. Action Requested/Purpose:

Approve final acceptance, by Resolution, as a donation of water distribution and gravity collection systems to provide potable water service, fire protection and sanitary sewer service to *WINKLER PRESERVE*, a single-family subdivision. This is a Developer Contributed asset project located on the east side of Winkler Road approximately 1-1/2 miles south of Summerlin Road.

PHASE I

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

C10A C10A

5. Meeting Date:

SEP 26 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: Douglas L. Meurer 9.7.2006
 Douglas L. Meurer, P.E., Director

9. Background:

The Board granted permission to construct on 12-13-04, Blue Sheet #20041519.
 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 10 TOWNSHIP 46S RANGE 24E DISTRICT #3 COMMISSIONER JUDAH

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.	
<u>J. Lavender</u> Date: <u>9-11-06</u>	N/A	N/A	<u>R.O.</u> T. Osterhout Date: <u>9/7</u>	<u>AS</u> 9/12/06 S. Covert Date: <u>9/13/06</u>	<u>ebw</u> 9-13-06	<u>ST</u> 9/13/06	<u>my</u> 9/13/06	<u>ST</u> 9/13/06	<u>J. Lavender</u> Date: <u>9-11-06</u>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <u>EW</u>
<u>9/12/06 4:35 pm</u>
COUNTY ADMIN FORWARDED TO: <u>ML</u>
<u>9/13/06</u>
<u>5 pm</u>

Rec. by CoAtty
Date: <u>9/12/06</u>
Time: <u>3:05 pm</u>
Forwarded To: <u>4:30 pm</u>
<u>9/12/06</u>

RESOLUTION NO.

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

WHEREAS, it is the desire of "Equity Investments, Inc.", 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 "WINKLER PRESERVE"; 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 \$905,598.72 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 20061147-UTL

COPY

LETTER OF COMPLETION

DATE: 5/11/2006

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

Gentlemen:

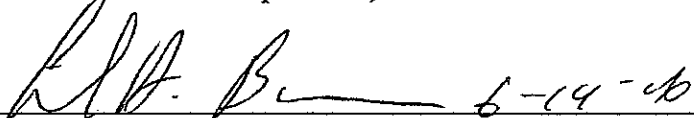
This is to certify that the **water distribution and sanitary sewer** systems located in
Winkler Preserve (n.k.a. Catalina at Winkler)
(Name of Development)

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

Very truly yours,

Carl A. Barraco, P.E.
(Owner or Name of Corporation)


(Signature)

President – P.E. No. 38536

(Title)

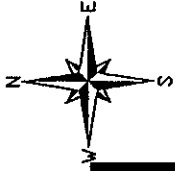
Barraco and Associates, Inc

2271 McGregor Boulevard

Fort Myers, Florida 33901

Florida Certificate of Authorization 7995

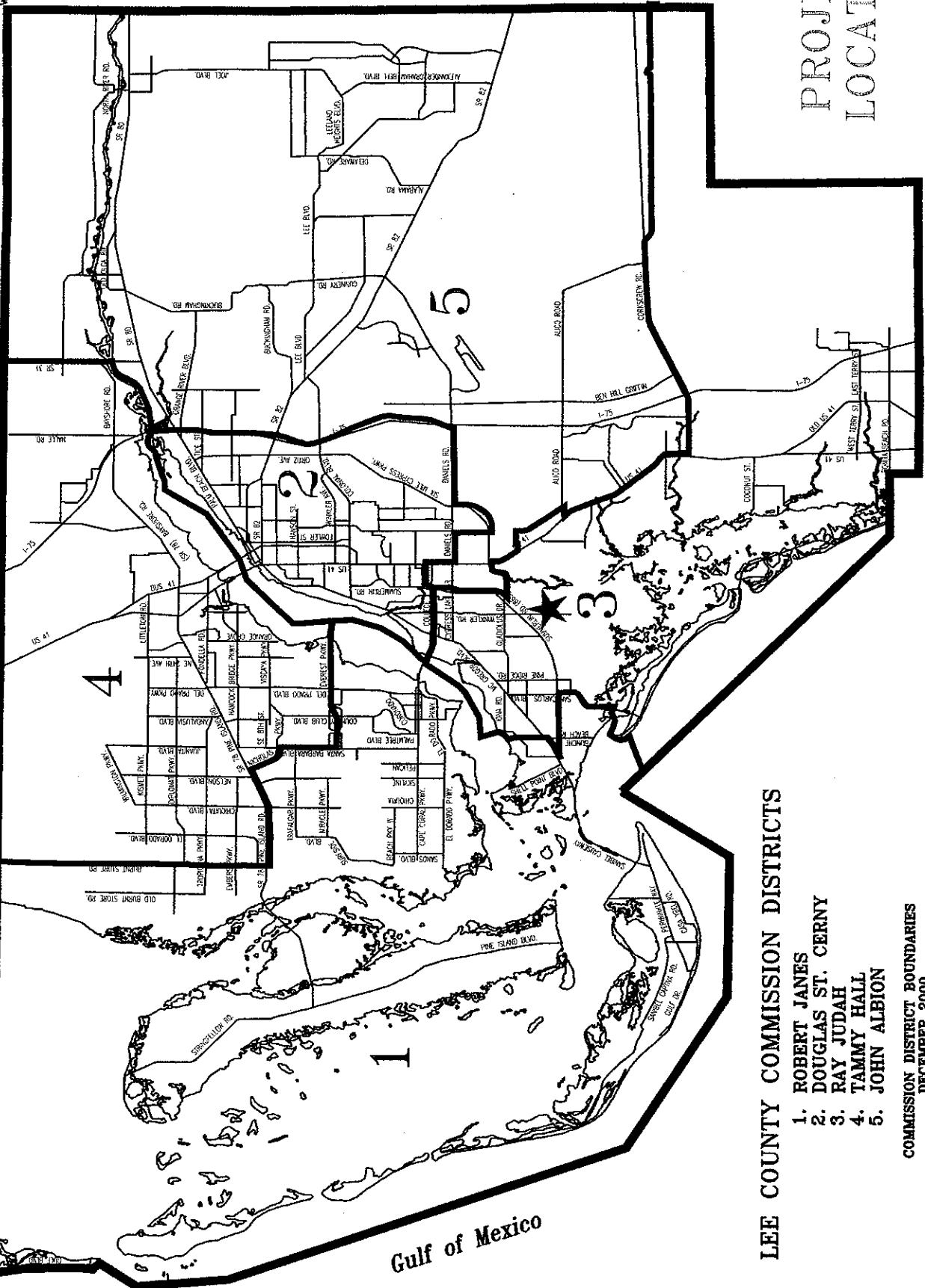
(Seal of Engineering Firm)



COPY

PROJECT
LOCATION

WINKLER PRESERVE
10-46-24-11-0000A.00CE
COMMISSION DISTRICT # 3 - RAY JUDAH



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

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of Winkler Preserve Ph 1 (n.k.a. Catalina at Winkler) 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 Const. 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 1 st day of JUNE, 2006 by Brian Penner who is personally known to me - _____, and who did not take an oath.


Notary Public Signature

Printed Name of Notary Public



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

(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 Nine hundred seven thousand five hundred fifty five dollars and thirty seven cents (\$905,598.72) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to D.R. Horton on the job of Winkler Preserve Phase 1 (n.k.a. Catalina at Winkler) to the following described property:

Winkler Preserve Phase 1 (n.k.a. Catalina at Winkler)
(Name of Development/Project)

water distribution and sanitary sewer systems
(Facilities Constructed)

Winkler Preserve Subdivision
South Ft. Myers, FL 33912
(Location)

10-46-24-11-0000A.00CE
(Strap # or Section, Township & Range)

Dated on: August 16, 2006

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 16 th day of August, 2006 by Brian Penner 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.

[Signature]
(Notary Public Signature)

(Notary Seal & Commission Number)

(Printed Name of Notary Public)

COPY

11.5

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Winkler Preserve Phase 1 "n.k.a. Catalina at Winkler"

STRAP NUMBER: 10-46-24-11-0000A.00CE

LOCATION: Winkler Preserve Subdivision, South Ft. Myers, Florida 33912

OWNER'S NAME: Equity Investments Inc.

OWNER'S ADDRESS: 777 S. Flagler Dr., Ste. 800 W.

OWNER'S ADDRESS: West Palm Beach,FL 33401-

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.

<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
PVC C-900 DR-18	8"	5,412.0	LF	\$18.43	\$99,743.16
CL-50 DIP	8"	226.0	LF	\$25.00	\$5,650.00
HDPE SDR-11	8"	82.0	LF	\$20.00	\$1,640.00
HDPE SDR-11 CASING	16"	78.0	LF	\$280.00	\$21,840.00
STEEL CASING	18"	18.0	LF	\$100.00	\$1,800.00
CL-50 DIP	6"	31.0	LF	\$20.00	\$620.00
PVC C-900 DR-18	4"	245.0	LF	\$15.00	\$3,675.00
FIRE HYDRANT ASSEMBLY	6"	8.0	EA	\$2,912.00	\$23,296.00
GATE VALVE	8"	10.0	EA	\$928.90	\$9,289.00
SINGLE WATER SERVICE/COMPLETE	1"	50.0	EA	\$552.10	\$27,605.00
DOUBLE WATER SERVICE/COMPLETE	1"	62.0	EA	\$656.20	\$40,684.40
SINGLE WATER SERVICE/COMPLETE	2"	1.0	EA	\$1,135.00	\$1,135.00
BLOW-OFF ASSEMBLY	8"	2.0	EA	\$1,556.00	\$3,112.00
BLOW-OFF ASSEMBLY	4"	1.0	EA	\$1,656.00	\$1,656.00
TAPPING SLEEVE W/VALVE	12"x8"	1.0	EA	\$2,680.00	\$2,680.00
TOTAL					\$244,425.56

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



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

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 34019 -

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 30th day of August, 2006 by L.D. Neal, Project Manager who is personally known to me - _____, and who did not take an oath.

Notary Public Signature

Printed Name of Notary Public

Notary Commission Number



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

(NOTARY SEAL)

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(NOTARY SEAL)