

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

Blue Sheet No. 20061509-UTL

1. Action Requested/Purpose:

Approve final acceptance, by Resolution, as a donation of a water distribution and gravity collection systems, to provide potable water service, fire protection and sanitary sewer service to *Reserve at Estero, Phases 1A & 1B*, a phased single-family residential development. This is a Developer Contributed asset project located along the north side of Estero Parkway approximately 1 mile east of U.S. 41 south.

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		5. Meeting Date: <p align="center">C10D DEC 05 2006</p>
6. Agenda:	7. Requirement/Purpose (specify)	8. Request Initiated:
<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Statute	Commissioner
<input type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance	Department Public Works
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code	Division Utilities
<input type="checkbox"/> Public	<input checked="" type="checkbox"/> Other	By: <i>D. L. Meurer</i> 11-16-2006
<input type="checkbox"/> Walk-On	<input type="checkbox"/> Approval	Douglas L. Meurer, P.E., Director

9. Background:

The Board granted permission to construct on 02-22-05, Blue Sheet #20050137.
 The installation has been inspected for conformance to the Lee County Utilities Operations Manual.
 Satisfactory pressure and bacteriological testing has been completed.
 Satisfactory closed circuit television inspection of the gravity collection system has been performed.
 Satisfactory lift station start up 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 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 MANN

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: 11-17-06	N/A	N/A	<i>G.O.</i> T. Osterhout Date: 11/16	<i>S. Coovert</i> Date: 11/20/06	<i>RK FOR EW 11/21</i>	<i>VP 11/21</i>	<i>by 11/21/06</i>	<i>11/21/06</i>	<i>J. Lavender</i> Date: 11-17-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN:
11/21/06
8:40 AM
COUNTY ADMIN
FORWARDED TO:
PR 11-21-06
12:45

Rec. by CoAtty
Date: *11/21/06*
Time: *2:40pm*
Forwarded To:
11/21/06 4:10pm

RESOLUTION NO.

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

WHEREAS, it is the desire of "Toll FL II Limited Partnership", owner of record, to make a contribution to Lee County Utilities of water facilities (a water main extension, fire protection), and sewer facilities (a gravity main extension, sanitary sewer service), serving "Reserve at Estero, Phase 1A & 1B"; 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 **\$650,239.64** 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 Brian Bigelow: _____ (2)
- Commissioner Ray Judah: _____ (3)
- Commissioner Tammara Hall: _____ (4)
- Commissioner Frank Mann: _____ (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: _____
CHAIR

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

BS 20061509-UTL

COPY

LETTER OF COMPLETION

DATE: 12/19/2005

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

Gentlemen:

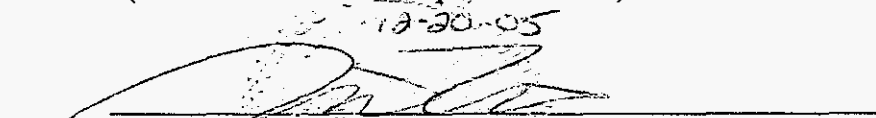
This is to certify that the **water distribution and sanitary sewer** systems located in
Reserve at Estero Phase 1A
(Name of Development/Project)

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

Very truly yours,

Michael C. Pappas, P.E. (FL Reg.# 60910)
(Owner or Name of Corporation/Firm)


(Signature)

Project Engineer of Heidt and Associates, Inc.
(Name and Title)

(Seal of Engineering Firm)

COPY

LETTER OF COMPLETION

DATE: 2/15/2006

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
Reserve at Estero Phase 1B
(Name of Development/Project)

were designed by me and have been constructed in conformance with:
the approved plans and the approved specifications

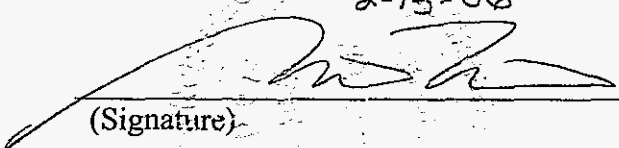
Upon completion of the work, we observed the following successful tests of the facilities:

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

Very truly yours,

Michael C. Pappas, P.E. (FL Reg.# 60910)
(Owner or Name of Corporation/Firm)

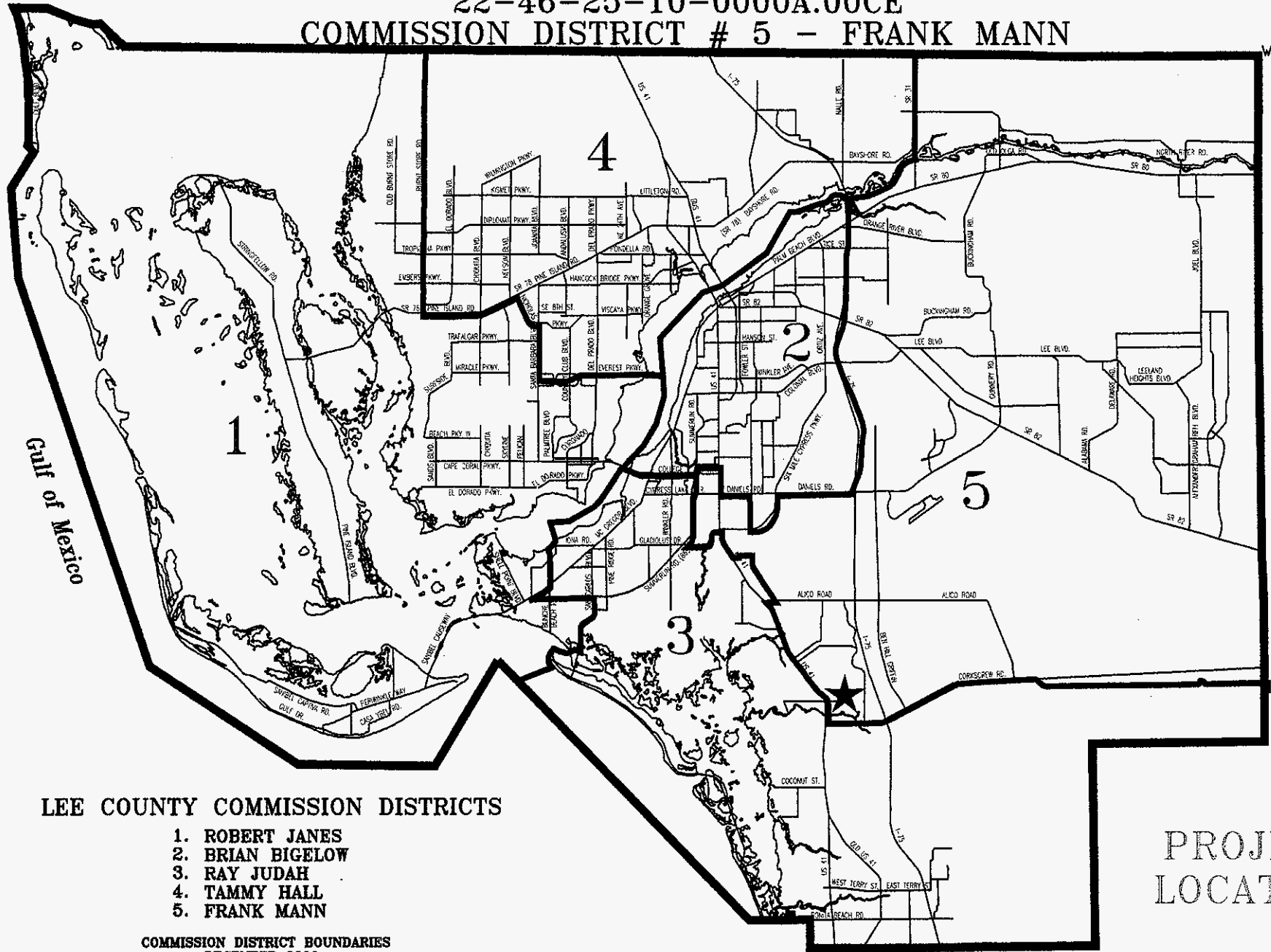
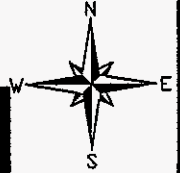
2-15-06


(Signature)

Project Engineer of Heidt and Associates, Inc.
(Name and Title)

(Seal of Engineering Firm)

RESERVE AT ESTERO, PHASES 1A & 1B
 22-46-25-10-0000A.00CE
 COMMISSION DISTRICT # 5 - FRANK MANN



Gulf of Mexico

LEE COUNTY COMMISSION DISTRICTS

- 1. ROBERT JANES
- 2. BRIAN BIGELOW
- 3. RAY JUDAH
- 4. TAMMY HALL
- 5. FRANK MANN

COMMISSION DISTRICT BOUNDARIES
 DECEMBER 2000

PROJECT
 LOCATION

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of Reserve at Estero Phase 1A 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.

R & A Underground, Inc.
(Contractor/Company Name)

Jessie L. Garrett, Vice President
(Authorized Representative, Title)

BY: [Handwritten Signature]
(Signature)

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 8th day of February, 2006, by Jessie L. Garrett who is personally known to me - _____, and who did not take an oath.

[Handwritten Signature]
Notary Public Signature
Rebecca M. Hoffman
Printed Name of Notary Public



(Notary Seal & Commission Number)

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of Reserve at Estero Phase 1B 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.

R & A Underground, Inc.
(Contractor/Company Name)

Jessie L. Garrett, Vice President
(Authorized Representative, Title)

BY: [Signature]
(Signature)

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 13th day of February, 2006 by Jessie L. Garrett who is personally known to me - _____, and who did not take an oath.

[Signature]
Notary Public Signature

Rebecca M. Hoffman
Printed Name of Notary Public

(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 Four hundred six thousand four hundred sixty-eight dollars and 30/100's(\$406,468.30) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials furnished to Toll FL II Limited Partnership, on the job of Reserve at Estero Phase 1A to the following described property:

Reserve at Estero Phase 1A
(Name of Development/Project)

water distribution and sanitary sewer systems
(Facilities Constructed)

Villa Rosa Loop, La Bianco Street, and Astonia Way
(Location)

22-46-25-10-0000A.00CE
(Strap # or Section, Township & Range)

Dated on: October 11th, 2006

By: *Jessie L. Garrett*
(Signature of Authorized Representative)

R & A Underground, Inc.
(Name of Firm or Corporation)

By: Jessie L. Garrett
(Print Name of Authorized Representative)

28000 Westbrook Drive, Suite 300
(Address of Firm or Corporation)

Title: Vice President

Bonita Springs, FL 34135-
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)949-3138 Ext.

Fax#: (239)481-8532

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 11th day of October, 2006 by Jessie L. Garrett who is personally known to me - _____, and who did not take an oath.

MELANIE R. HEILIG
Notary Public, State of Florida
My comm. exp. Mar. 29, 2010
Comm. No. DD 514509

Melanie R. Heilig
(Notary Public Signature)

(Notary Seal & Commission Number)

Melanie R. Heilig
(Printed Name of Notary Public)

RECEIVED
OCT 16 2006
BY: _____

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 Jessie L. Garrett
(Signature of Certifying Agent)

Jessie L. Garrett, Vice President
(Name & Title of Certifying Agent)

R & A Underground, Inc.
(Name of Firm or Corporation)

28000 Westbrook Drive, Suite 300
(Address of Firm or Corporation)

Bonita Springs, FL 34135 -

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 29th day of June, 2006 by Jessie L. Garrett who is personally known to me - , and who did not take an oath.

Melanie R. Heilig
Notary Public Signature

Melanie R. Heilig
Printed Name of Notary Public

DD514509
Notary Commission Number

(NOTARY SEAL)
MELANIE R. HEILIG
Notary Public, State of Florida
My comm. exp. Mar. 29, 2010
Comm. No. DD 514509



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CERTIFYING:

Jessie L. Garrett
(Signature of Certifying Agent)

Jessie L. Garrett, Vice President
(Name & Title of Certifying Agent)

R & A Underground, Inc.
(Name of Firm or Corporation)

28000 Westbrook Drive, Suite 300
(Address of Firm or Corporation)

Bonita Springs, FL 34135 -

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 29th day of June, 2006 by Jessie L. Garrett who is personally known to me - , and who did not take an oath.

Melanie R. Heilig
Notary Public Signature

Melanie R. Heilig
Printed Name of Notary Public

DD 514509
Notary Commission Number

(NOTARY SEAL)

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 (Signature of Certifying Agent)

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 (Name & Title of Certifying Agent)

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STATE OF FL)
) SS:
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(Name & Title of Certifying Agent)

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Notary Commission Number

(NOTARY SEAL)

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Notary Public, State of Florida
My comm. exp. **Mar. 29, 2010**
Comm. No. **DD 514509**

