

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

Blue Sheet No. 20070094-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance, by Resolution, as a donation of a water distribution and gravity collection systems, lift station and force main to provide potable water service, fire protection and sanitary sewer service to *Reserve at Estero, Phase 2A*, of this 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. FUNDING SOURCE: No funding required.

3. WHAT ACTION ACCOMPLISHES:

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

4. MANAGEMENT RECOMMENDATION: Approve.

5. Departmental Category: 10 - Utilities

CIOB

6. Meeting Date:

FEB 13 2007

7. Agenda:

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

8. Requirement/Purpose: (specify)

- Statute
- Ordinance
- Admin. Code
- Other

Approval

9. Request Initiated:

Commissioner _____
 Department **Pub. Works**
 Division **Utilities**
 By: *Douglas L. Meurer* 1-25-2007
 Douglas L. Meurer, P.E., Director

10. Background:

The Board granted permission to construct on 08/16/05, Blue Sheet #20051086.
 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. (L/S#7836)
 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

11. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Res.	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>J. Lavender</i> Date: 1/26/07	N/A Date:	N/A Date:	<i>P.O.</i> T. Osterhout Date: 1/24	<i>S. Coovert</i> S. Coovert Date: 1/29/07	<i>elaw</i> 1-30-07	<i>MP</i> 1-30-07	<i>MP</i> 1/30/07	<i>J. Lavender</i> 1/30/07	<i>J. Lavender</i> Date: 1/26/07

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN:
 1/29 4:30 MP
 1/29 to EW
 COUNTY ADMIN
 FORWARDED TO:
 1/30 11:50 AM
 1/30 TO ER

Rec. by CoAtty
 Date: 1/29/07
 Time: 11:50 AM
 Forwarded To:
 1/29/07
 2:00 pm

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 (potable water and fire protection), and sewer facilities (gravity collection system and sanitary sewer, lift station), serving "RESERVE AT ESTERO, PHASE 2A"; 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 \$753,727.54 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 _____, 2007.

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 20070094-UTL

COPY

LETTER OF COMPLETION

DATE: 1/5/2007

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 system** located in
Reserve at Estero Phase 2-A
(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 , Pressure Test(s) - Force Main ,
Low Pressure Test(s) - Gravity Main , TV Inspection, Mandrill - Gravity Main
and Lift Station Start-up**

Very truly yours,

Heidt & Associates, Inc.
(Owner or Name of Corporation/Firm)


(Signature)

Michael C. Pappas, P.E., Project Engineer
(Name and Title)

(Seal of Engineering Firm)



Reserve at Estero, Phase 2A
Commission District #5 - Mann



Subject Parcels

CALADES DR
8" PVC SDR-26 @ 0.41% ± 8" PVC SDR-26 @ 0.4%

7835

7836

Private

12" PVC C-900 DR-18 CL 150

16" PVC C-900 DR-18 CL 150

ESTERO PKWY

ESTERO PKWY

7793-16

7785-20
7785-19 7785-16

22-46-25-11-0000A.00CE La Bianco Street, Astonia Way & Tesoro Way

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 2-A 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.

(Contractor/Company Name)

Dennis Short, Project Manager

(Authorized Representative, Title)

BY:

(Signature)

Dennis Short

STATE OF FL)

) SS:

COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 25 day of August, 2006 by Dennis Short 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



Belinda Burgbacher
Commission #00170217
Expires: Jan 22, 2007
Bonded Through
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 Seven Hundred Fifty-Three Thousand, Seven Hundred Twenty-Seven and 54/100's (\$753,727.54) hereby waives 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 2-A to the following described property:

Reserve at Estero Phase 2-A
(Name of Development/Project)

water distribution and sanitary sewer systems
(Facilities Constructed)

La Bianco Street, Astonia Way, and Tesoro Way
(Location)

22-46-25-11-0000A.00CE
(Strap # or Section, Township & Range)

Dated on: August 25, 2006

By: *Dennis Short*
(Signature of Authorized Representative)

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

By: Dennis Short
(Print Name of Authorized Representative)

6001 Shirley Street
(Address of Firm or Corporation)

Title: Project Manager

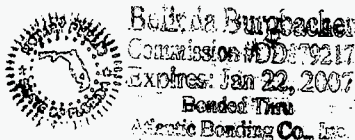
Naples, FL 34109-
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)597-2165 Ext.

Fax#: (239)566-7865

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 25 th day of August, 2006 by Dennis Short who is personally known to me - _____, and who did not take an oath.



(Notary Seal & Commission Number)

Belinda Burghbacher
(Notary Public Signature)

Belinda Burghbacher
(Printed Name of Notary Public)



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 Dennis Short
(Signature of Certifying Agent)

Dennis Short, Project Manager
(Name & Title of Certifying Agent)

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

6001 Shirley Street
(Address of Firm or Corporation)

Naples, FL 34109 -

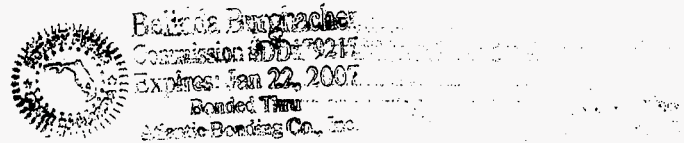
STATE OF FL)
) SS:
COUNTY OF Collier)

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Belinda Burghbacher
Notary Public Signature

Belinda Burghbacher
Printed Name of Notary Public

DD179217
Notary Commission Number



(NOTARY SEAL)



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CERTIFYING:

Dennis K Short
(Signature of Certifying Agent)

Dennis Short, Project Manager
(Name & Title of Certifying Agent)

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

6001 Shirley Street
(Address of Firm or Corporation)

Naples, FL 34109 -

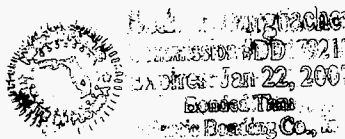
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Printed Name of Notary Public

DD179217
Notary Commission Number



(NOTARY SEAL)

