

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

Blue Sheet No. 20070143-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance, by Resolution, as a donation of water, gravity and force main extensions to provide potable water service, fire protection and sewer service to *Bella Terra, Phase 3B-2*, a phased residential development. This is a developer contributed asset project located on the south side of Corkscrew Road, approximately 1-2/3 mile east of Alico Road in Estero.

2. FUNDING SOURCE:

No funds 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 20 2007
7. Agenda: <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	8. Requirement/Purpose: (specify)	
	<input type="checkbox"/> Statute	<input type="checkbox"/>
	<input type="checkbox"/> Ordinance	<input type="checkbox"/>
	<input type="checkbox"/> Admin. Code	<input type="checkbox"/>
	<input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Approval
		9. Request Initiated: Commissioner Department Public Works Division Utilities By: <i>Douglas E. Meurer</i> 2-1-2007 Douglas E. Meurer, P.E., Director

10. Background:

The Board granted permission to construct on 07/27/04, Blue Sheet #20040861.
 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 mains 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.
 This phase of the project is 'backbone' infrastructure only, therefore, no connection are fees required at this time.

SECTION 29 TOWNSHIP 46S RANGE 26E DISTRICT # 3 COMMISSIONER JUDAH

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: 2-2-07	N/A Date:	N/A Date:	T.O. T. Osterhout Date: 2/1	S. Coovert Date: 2/5/07	<i>elw</i> 2-5-07	<i>MP</i> 2/5/07	<i>M</i> 2/5/07	<i>MP</i> 2/5/07	<i>J. Lavender</i> Date: 2-2-07

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN:
2/2/07 11:45 AM
to EW
COUNTY ADMIN FORWARDED TO:
2/2/07 3:00 PM
to PR

Rec. by CoAtty
Date: 2/2/07
Time: 3:40 PM
Forwarded To:
2/5/07
9:30 AM

RESOLUTION NO.

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

WHEREAS, it is the desire of "Habitat Lakes, LLC" owner of record, to make a contribution to Lee County Utilities of water facilities (a water main extension, potable water service, fire protection), and sewer facilities (a Gravity main extension, force main extension, and sanitary sewer), serving "Bella Terra, Phase 3 B-2"; 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 **\$199,424.00** 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 20070143-UTL

COPY

LETTER OF COMPLETION

DATE: 5/16/2006

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

Gentlemen:

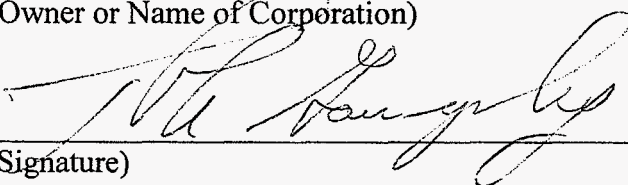
This is to certify that the **water distribution and sanitary sewer** systems located in
BELLA TERRA - PHASES 3B-2
(Name of Development)

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

Very truly yours,

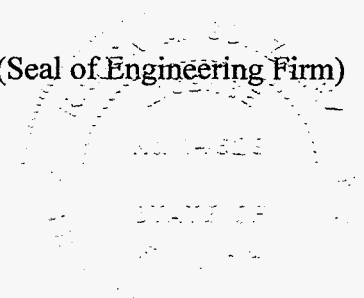
R. A. Gonzalez - Banks Engineering
(Owner or Name of Corporation)



(Signature)

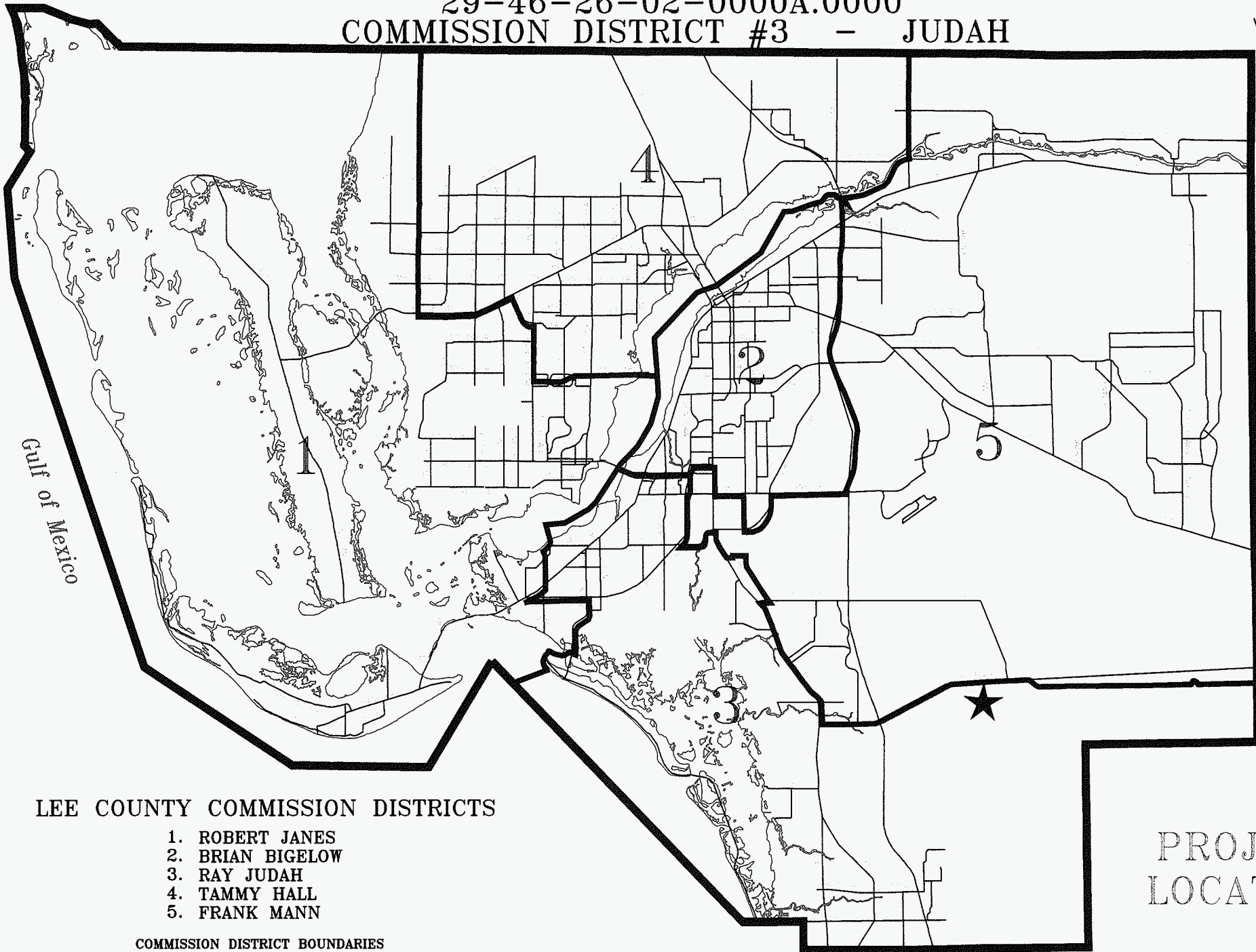
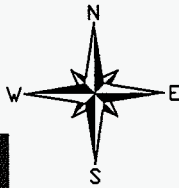
P.E.14629, Engineering Director
(Title)

(Seal of Engineering Firm)



RECEIVED MAY 19 2006

BELLA TERRA, PHASE 3B-2
29-46-26-02-0000A.0000
COMMISSION DISTRICT #3 - JUDAH



COPY

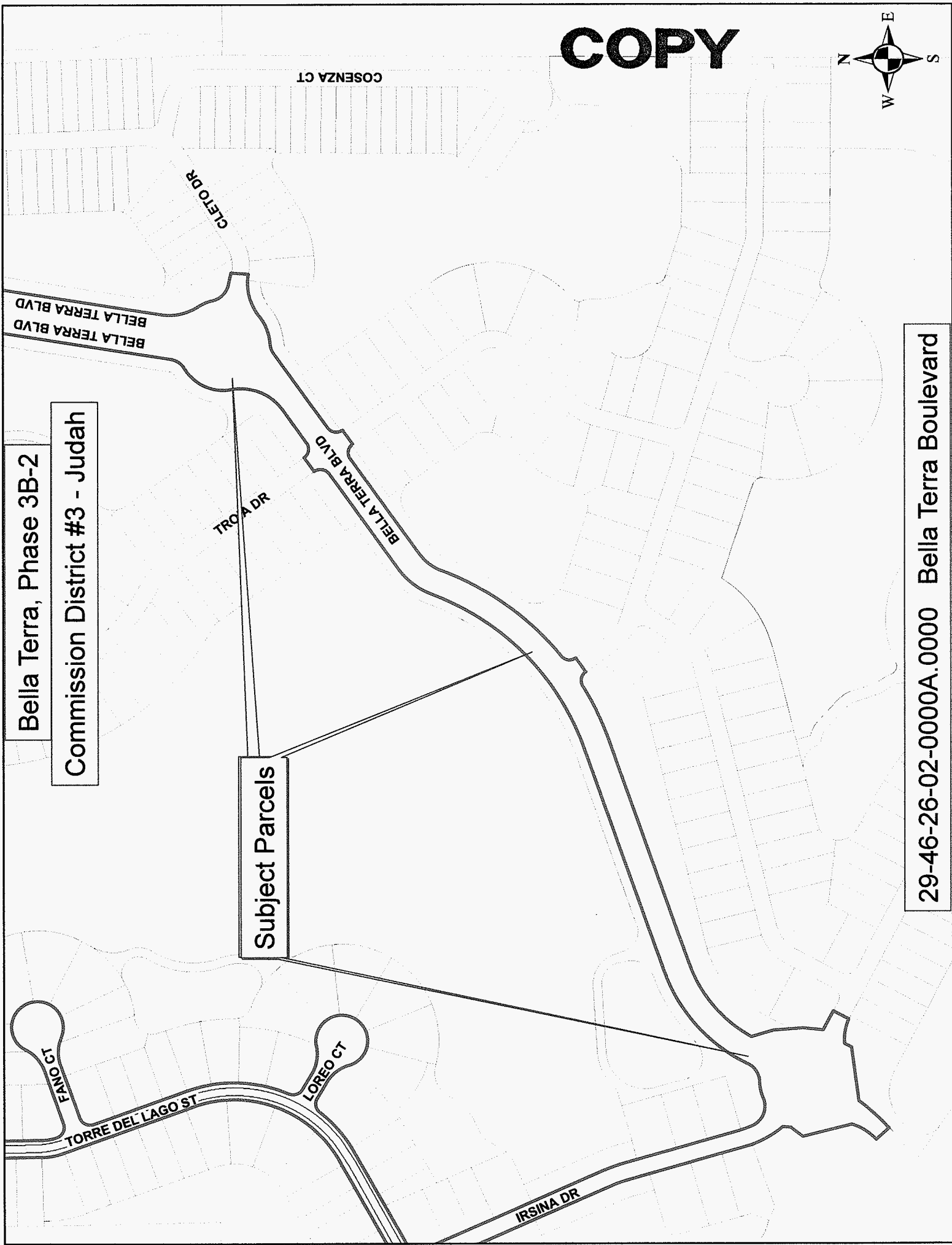
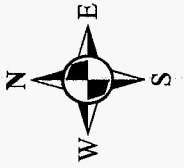
LEE COUNTY COMMISSION DISTRICTS

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

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

PROJECT
LOCATION

COPY



Bella Terra, Phase 3B-2

Commission District #3 - Judah

Subject Parcels

29-46-26-02-0000A.0000 Bella Terra Boulevard

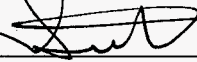
WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of Bella Terra - Phase 3B-2 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.

Haleakala Construction, Inc.
(Contractor/Company Name)

Brenda K. Merchant
(Authorized Representative, Title)

BY: 
(Signature)

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 7th day of November, 2005 by Brenda K. Merchant who is personally known to me - _____, and who did not take an oath.


Notary Public Signature

 **Linda Mahon**
Commission #DD177119
Expires: Feb 21, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

LINDA MAHON
Printed Name of Notary Public

(Notary Seal & Commission Number)

WAIVER AND RELEASE OF LIEN
UPON FINAL PAYMENT

COPY

The undersigned lienor, in consideration of the final payment in the amount of one-hundred and ninety-nine thousand, four-hundred & twenty-four dollars, and zero cents (\$199,424.00) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Habitat Lakes, LLC. on the job of Bella Terra-Phase 3B-2 to the following described property:

Bella Terra-Phase 3B-2
(Name of Development/Project)

Water Distribution System and Sanitary Sewer System
(Facilities Constructed)

Bella Terra Blvd., Estero, FL 33928
(Location)

29-46-26-02-0000A.0000
(Strap # or Section, Township & Range)

Dated on: January 9, 2007

By: [Signature]
(Signature of Authorized Representative)

Haleakala Construction Inc.
(Name of Firm or Corporation)

By: Brenda K. Merchant
(Print Name of Authorized Representative)

5758 Taylor Road
(Address of Firm or Corporation)

Title: Authorized Agent

Naples, FL 34109-1829
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)598-1968 Ext.

Fax#: (239)598-9418

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 9 th day of January, 2007 by Brenda K. Merchant who is personally known to me - _____, and who did not take an oath.

 **Linda Mahon**
Commission #DD177119
Expires: Feb 21, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

Linda Mahon
(Notary Public Signature)

(Notary Seal & Commission Number)

Linda Mahon
(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 

(Signature of Certifying Agent)

Brenda K. Merchant

(Name & Title of Certifying Agent)

Haleakala Construction, Inc.

(Name of Firm or Corporation)

5758 Taylor Road

(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 9 th day of January, 2007 by Brenda K. Merchant who is personally known to me - _____, and who did not take an oath.

Linda Mahon

Notary Public Signature

Linda Mahon

Printed Name of Notary Public

DD177119

Notary Commission Number



Linda Mahon
Commission #DD177119
Expires: Feb 21, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

(NOTARY SEAL)



CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Bella Terra - Phase 3B-2

STRAP NUMBER: 29-46-26-02-0000A.0000

LOCATION: Bella Terra Blvd., Estero, FL 33928

OWNER'S NAME: (as shown on Deed) Habitat Lakes, LLC

OWNER'S ADDRESS: 782 NW 42nd Avenue, Suite 630

OWNER'S ADDRESS: Miami, FL 33126-

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"	1,262.0	LF	\$29.40	\$37,102.80
MANHOLE	4'	10.0	EA	\$5,372.00	\$53,720.00
MANHOLE	6'	2.0	EA	\$6,250.00	\$12,500.00
PVC C-900 DR-18 FORCE MAIN	8"	420.0	LF	\$17.75	\$7,455.00
PVC C-900 DR-18 FORCE MAIN	6"	2,962.0	LF	\$16.10	\$47,688.20
PVC C-900 DR-14 FORCE MAIN	8"	133.0	LF	\$19.85	\$2,640.05
PVC C-900 DR-14 FORCE MAIN	6"	429.0	LF	\$18.25	\$7,829.25
ASSORTED FITTINGS	8"	4.0	EA	\$200.00	\$800.00
ASSORTED FITTINGS	6"	30.0	EA	\$200.00	\$6,000.00
TOTAL					\$175,735.30

(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]
(Signature of Certifying Agent)

Brenda K. Merchant
(Name & Title of Certifying Agent)

Haleakala Construction, Inc.
(Name of Firm or Corporation)

5758 Taylor Road
(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 May, 2006 by Brenda K. Merchant who is personally known to me - _____, and who did not take an oath.

[Signature]
Notary Public Signature

Linda Mahon
Printed Name of Notary Public

DD177119
Notary Commission Number

 Linda Mahon
Commission #DD177119
Expires: Feb 21, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

(NOTARY SEAL)