

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

Blue Sheet No. 20070229-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance, as a donation of three water services and one sewer service, to provide potable water and sewer service to *Dunkin Donuts at Alico Crossing*, a recently constructed commercial building. This is a Developer Contributed asset project located on the west side of US 41 South at Alico Road.

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: Approval.

5. Departmental Category: 10 - Utilities CIOB		6. Meeting Date: MAR 13 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 <u>Public Works</u> Division <u>Utilities</u> By: <u>Douglas L. Meurer</u> 2.19.2007 Douglas L. Meurer, P.E., Director

10. Background:

Single water services and single sewer services do not require permission to construct by the Board, therefore, no previous Blue Sheet number is provided.
 The installation has been inspected for conformance to the Lee County Utilities Operations Manual.
 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 07 TOWNSHIP 46S RANGE 25E 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.	
<u>J. Lavender</u> Date: 2-19-07	N/A Date:	N/A Date:	<u>T.O.</u> T. Osterhout Date: 2/19	<u>S. Covert</u> S. Covert Date: 2/20/07	<u>ebw</u> 2-20-07	<u>MP</u> 2/20/07	<u>RS</u> 2-20-07	<u>J. Lavender</u> Date: 2-19-07	

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN: pw
Date: 2/20/07 2:30 PM
COUNTY ADMIN
FORWARDED TO: pw
Date: 2/21/07
Time: 4:10 PM

Rec. by CoAtty
Date: 2/20/07
Time: 10:30 AM
Forwarded To:
2/20/07
Time: 11:30 AM

RESOLUTION NO.

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

WHEREAS, it is the desire of "Boston Coffee, Inc." owner of record, to make a contribution to Lee County Utilities of water facilities (3 single water services), and sewer facilities (a single sewer service), serving "DUNKIN DONUTS AT ALICO CROSSING"; 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 \$4,975.00 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 20070229-UTL

COPY

LETTER OF COMPLETION

DATE: 1/31/2007

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

Gentlemen:

This is to certify that the **sewer service(s) and water service(s)** located at
Dunkin Donuts at Alico Crossings
(Name of Development/Project)

was designed by me and has 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:

Very truly yours,

AIM Engineering & Surveying, Inc.
(Owner or Name of Corporation/Firm)

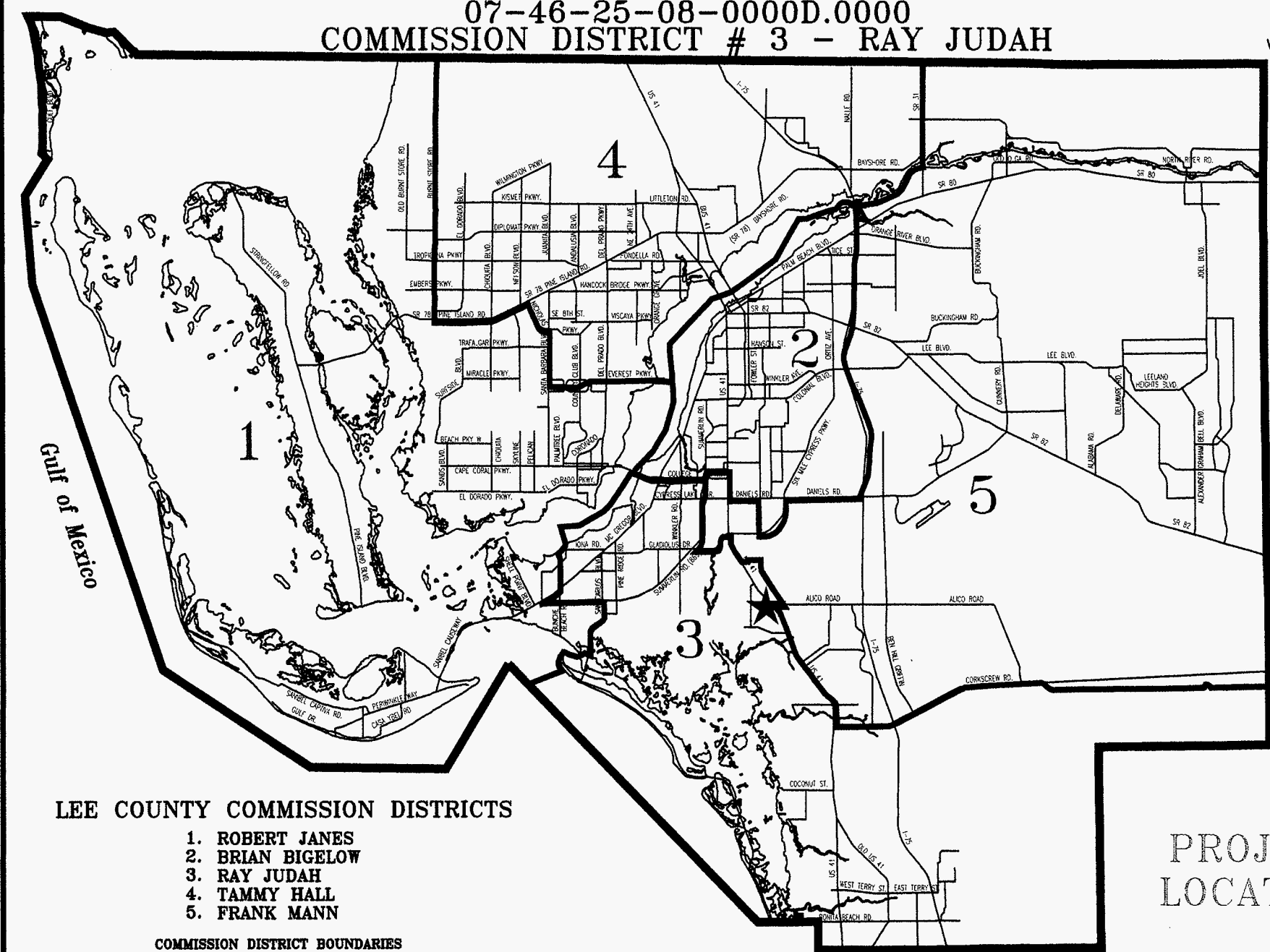
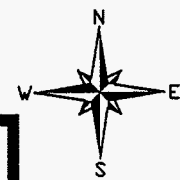


(Signature)

B. Lee Flynn, III, P.E. - Project Manager
(Name and Title)

(Seal of Engineering Firm)

DUNKIN DONUTS AT ALICO CROSSING
07-46-25-08-0000D.0000
COMMISSION DISTRICT # 3 - RAY 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

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of Dunkin Donuts - Alico Crossing 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.

B.J. Enterprises, Inc.
(Contractor/Company Name)

Michael Sappah, President
(Authorized Representative, Title)

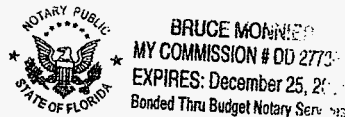
BY: *Michael Sappah*
(Signature)

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 26 th day of January, 2007 by Michael Sappah who is personally known to me - _____, and who did not take an oath.

Bruce Monnier
Notary Public Signature

Bruce Monnier
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 Thousand Nine Hundred and Seventy-Five Dollars(\$4,975.00) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Boston Coffee Inc. on the job of Dunkin Donuts to the following described property:

Dunkin Donuts
(Name of Development/Project)

16970 S. Tamiami Trail Ft Myers Fl 33912
(Location)

Water /or Sewer Service(s)

(Facilities Constructed)

07-46-25-08-0000D.0000
(Strap # or Section, Township & Range)

Dated on: January 30, 2007

By: *Michael Sappah*
(Signature of Authorized Representative)

B.J. Enterprises, Inc.
(Name of Firm or Corporation)

By: Michael Sappah
(Print Name of Authorized Representative)

8102 Grady Dr
(Address of Firm or Corporation)

Title: President

N Fort Myers, FL 33917-
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)731-2333 Ext.

Fax#: (239)731-5205

STATE OF FL)
) SS:
COUNTY OF Lee)

The foregoing instrument was signed and acknowledged before me this 30 th day of January, 2007 by Michael Sappah who is personally known to me - and who did not take an oath.

Bruce Monnier
(Notary Public Signature)

(Notary Seal & Commission Number)

Bruce Monnier
(Printed Name of Notary Public)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Dunkin Donuts - Alico Crossing

STRAP NUMBER: 07-46-25-08-0000D.0000

LOCATION: 16970 S. Tamiami Trail, Ft. Myers, Fl. 33912

OWNER'S NAME: (as shown on Deed) Boston Coffe, Inc.

OWNER'S ADDRESS: 904 Cape Coral Parkway,

OWNER'S ADDRESS: Cape Coral, FL 33904-

OWNER'S TELEPHONE #: (617) 201-3969

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.

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
TAPPING SLEEVE W/VALVE	2"	1.0	LS	\$350.00	\$350.00
HDPE SDR-11	2"	15.0	LF	\$20.00	\$300.00
SINGLE WATER SERVICE/COMPLETE	1"	3.0	EA	\$800.00	\$2,400.00
		0.0		\$0.00	\$0.00
		0.0		\$0.00	\$0.00
		0.0		\$0.00	\$0.00
		0.0		\$0.00	\$0.00
TOTAL					\$3,050.00

(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 *Michael Sappah*
(Signature of Certifying Agent)

Michael Sappah, President
(Name & Title of Certifying Agent)

B.J. Enterprises, Inc.
(Name of Firm or Corporation)

8102 Grady Dr
(Address of Firm or Corporation)

N Fort Myers, FL 33917 -

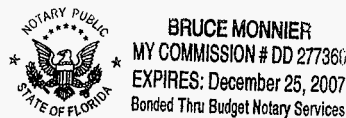
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) SS:
COUNTY OF Lee)

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Bruce Monnier
Notary Public Signature

Bruce Monnier
Printed Name of Notary Public

Notary Commission Number



(NOTARY SEAL)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Dunkin Donuts - Alico Crossings

STRAP NUMBER: 07-46-25-08-0000D.0000

LOCATION: 16970 S. Tamiami Trl, Ft Myers Fl 33912

OWNER'S NAME: (as shown on Deed) Boston Coffee Inc.

OWNER'S ADDRESS: 904 Cape Coral Pkwy, Cape Coral Fl 33904

OWNER'S ADDRESS: _____

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
SINGLE SEWER SERVICE W/CLEANOUT	6"	1.0	EA	\$1,925.00	\$1,925.00
TOTAL					\$1,925.00

(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 *Michael Sappah*
(Signature of Certifying Agent)

Michael Sappah, President
(Name & Title of Certifying Agent)

B.J. Enterprises, Inc.
(Name of Firm or Corporation)

8102 Grady Dr
(Address of Firm or Corporation)

N Fort Myers, FL 33917 -

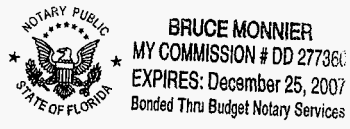
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(NOTARY SEAL)