

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

Blue Sheet No. 20070392-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance, as a donation of one 6" diameter fire line, to provide fire protection to *Reflection Key*, a recently constructed multi-family residential development. This is a Developer Contributed asset project located on the east side of Summerlin Road approximately 1/2 mile north of Gladiolus Drive.

2. FUNDING SOURCE:

No funds required.

3. WHAT ACTION ACCOMPLISHES:

Provides adequate fire protection to 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: APR 24 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) Statute _____ Ordinance _____ Admin. Code _____ <input checked="" type="checkbox"/> Other <u>Approval</u>	9. Request Initiated: Commissioner _____ Department <u>Public Works</u> Division <u>Utilities</u> By: <u>Douglas L. Meurer</u> 3-29-2007 Douglas L. Meurer, P.E., Director

10. Background:

Fire lines 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. 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.
Potable water and Sanitary Sewer service is provided is serviced by Lee County Utilities via existing infrastructure located within the Victoria Boulevard right-of-way.
No funds required.

SECTION 26 TOWNSHIP 45S RANGE 24E 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.	
<u>J. Lavender</u> Date: <u>3-30-07</u>	N/A Date:	N/A Date:	<u>T.O.</u> T. Osterhout Date: <u>3/29</u>	<u>S. Covert</u> S. Covert Date: <u>4/2/07</u>	<u>RK413</u>	<u>4/3/07</u>	<u>4/3/07</u>	<u>4/3/07</u>	<u>J. Lavender</u> Date: <u>3-30-07</u>

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: <u>RK</u>
<u>4/2</u>
<u>4:30pm</u>
COUNTY ADMIN FORWARDED TO: <u>Pic</u>
<u>4/3</u>
<u>1:13pm</u>

Rec. by CoAtty
Date: <u>4/2/07</u>
Time: <u>1:15pm</u>
Forwarded To: <u>Admin.</u>
<u>4/2/07 3:30pm</u>

RESOLUTION NO.

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

WHEREAS, it is the desire of **"REFLECTION KEY, LLC"**, owner of record, to make a contribution to Lee County Utilities of water facilities **(one 6" diameter fire line)**, serving **"REFLECTION KEY"**; 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 **\$2,766.00** 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 _____, 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 20070392-UTL

COPY

LETTER OF COMPLETION

DATE: 2/20/2007

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

Gentlemen:

This is to certify that the **fire line up to and including 1st OS + Y valve(s)** located in
Reflection Key
(Name of Development)

was designed by me and has been constructed in conformance with:

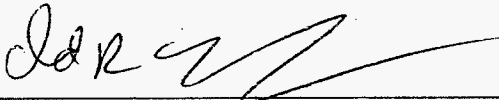
the approved plans and the approved specifications

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

Pressure Test(s) - Water Main

Very truly yours,

David R. Underhill, Jr., P.E. - Banks Engineering
(Owner or Name of Corporation)



(Signature)

2/20/07

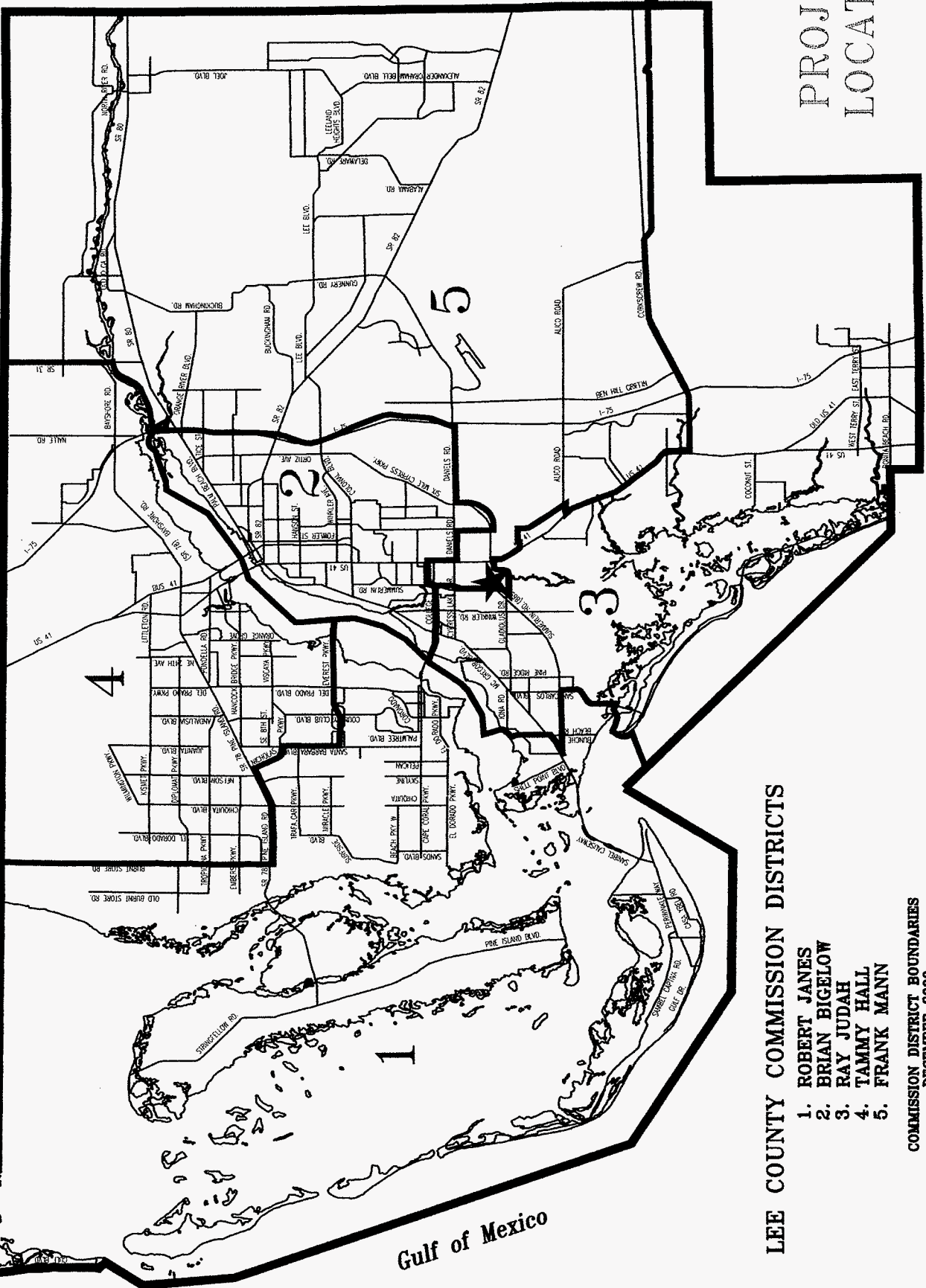
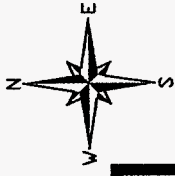
Vice President
(Title)

(Seal of Engineering Firm)

COPY

PROJECT
LOCATION

REFLECTION KEY FIRE LINE
26-45-24-09-0000A.0000 & 26-45-24-09-00000.00CE
COMMISSION DISTRICT # 5 - FRANK MANN



LEE COUNTY COMMISSION DISTRICTS

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

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

COPY

11.2

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the fire system of Reflection Key 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.
(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 20 th day of FEB, 2007 by Brian Penner who is personally known to me - _____, and who did not take an oath.


Notary Public Signature

NOTARY PUBLIC - STATE OF FLORIDA
 **Belinda Burgbacher**
Commission #DD620455
Expires: JAN. 22, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

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 Two Thousand Seven Hundred Sixty-Six Dollars and 00/100(\$2,766.00) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Tousa Homes, Inc. on the job of Reflection Key to the following described property:

Reflection Key
(Name of Development/Project)

fire line up to and including 1st OS and Y valve
(Facilities Constructed)

Fort Myers, Florida
(Location)

26-45-24-09-0000A.0000 and 26-45-24-09-00000.00CE
(Strap # or Section, Township & Range)

Dated on: February 20, 2007

By: [Signature]
(Signature of Authorized Representative)

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

By: Brian Penner
(Print Name of Authorized Representative)

6001 Shirley Street
(Address of Firm or Corporation)

Title: President

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 20 th day of February, 2007 by Brian Penner who is personally known to me - _____, and who did not take an oath.

NOTARY PUBLIC - STATE OF FLORIDA
Belinda Burgbacher
Commission # DD620455
Expires: JAN. 22, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

[Signature]
(Notary Public Signature)

(Notary Seal & Commission Number)

(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)

Brian Penner
(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)

The foregoing instrument was signed and acknowledged before me this 20 th day of February, 2007 by Brian Penner who is personally known to me - _____, and who did not take an oath.

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NOTARY PUBLIC - STATE OF FLORIDA
Belinda Burgbacher
Commission # DD620455
Expires: JAN. 22, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

Notary Commission Number

(NOTARY SEAL)