

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

Blue Sheet No. 20070459-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance, as a donation of a water and gravity main extension and twelve 4" diameter fire lines, to provide potable water service, fire protection and sanitary sewer service to *Bellini and Volterra at Miromar Lakes*, a phased residential development. This is a Developer contributed asset and the project is located at the southeast corner of Alico Road and Ben Hill Griffin Parkway.

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 CIOC		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)	
	<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> 3-29-2007 Douglas L. Meurer, P.E., Director

10. Background:

The Board granted permission to construct on 07-25-05, Blue Sheet #20051085.
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.
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 11 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.	
<u>J. Lavender</u> Date: <u>3-30-07</u>	N/A Date:	N/A Date:	<u>N.O.</u> T. Osterhout Date: <u>3/29</u>	<u>S. Coovert</u> Date: <u>4/2/07</u>	<u>RK</u> 4/3	<u>MR</u> 4/3/07	<u>MR</u> 4/3/07	<u>MR</u> 4/3/07	<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>4:30 pm</u>
COUNTY ADMIN
FORWARDED TO: <u>MC</u>
<u>4/3 - 1:13pm</u>

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

RESOLUTION NO.

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

WHEREAS, it is the desire of "BELLINI DEVELOPMENT, LLC." owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution), and sewer facilities (gravity collection system), serving "BELLINI AND VOLTERRA AT MIROMAR LAKES"; 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 **\$310,850.00** 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 20070459-UTL

COPY

LETTER OF COMPLETION

DATE: 10/23/2006

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 gravity collection** located at
Bellini and Volterra at Miromar Lakes
(Name of Development/Project)

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

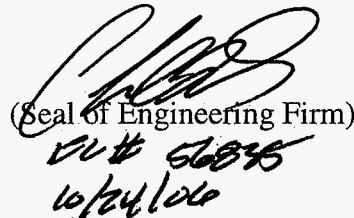
Very truly yours,

Charles L. Krebs, P.E.
(Owner or Name of Corporation/Firm)



(Signature)

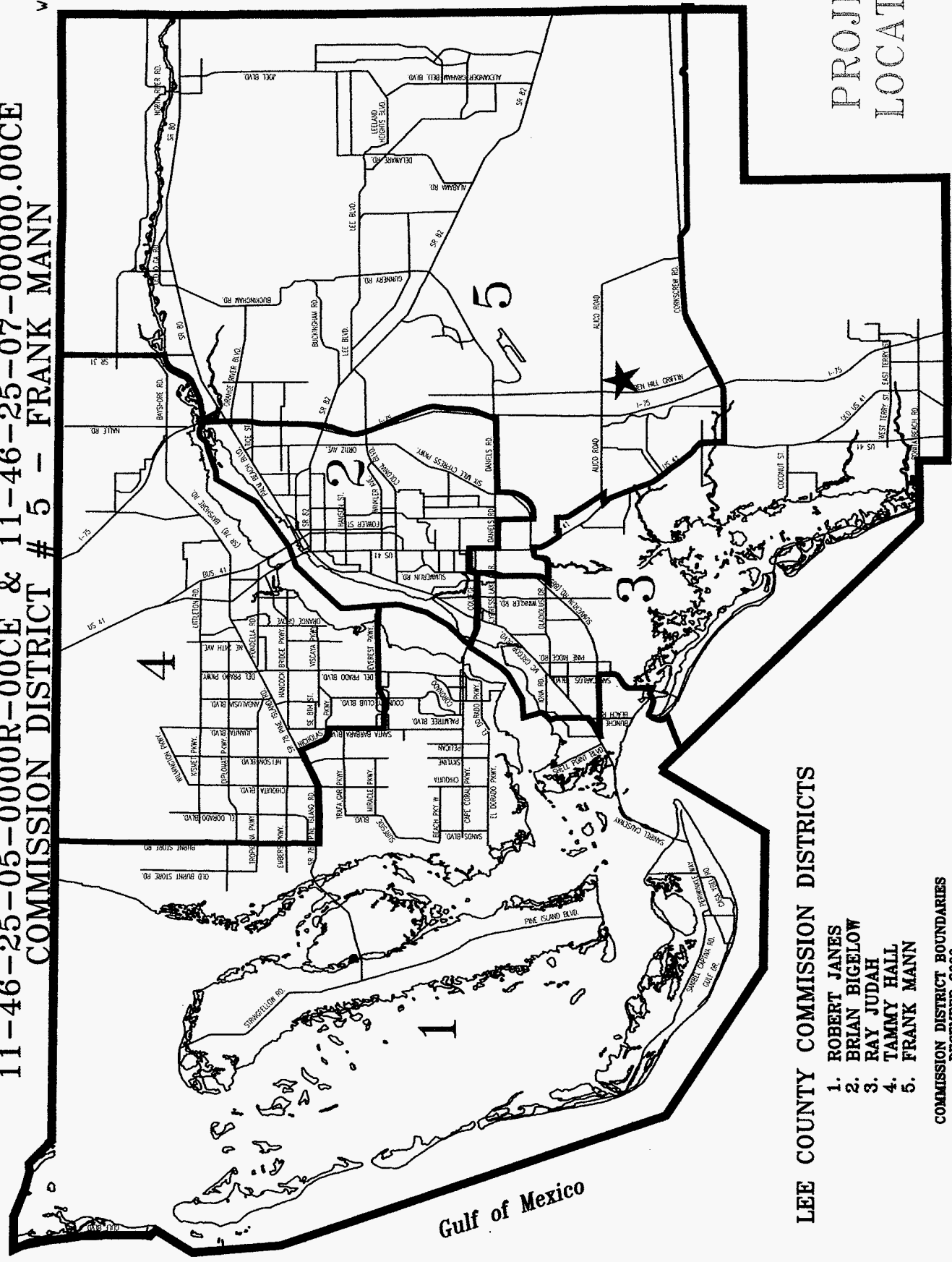
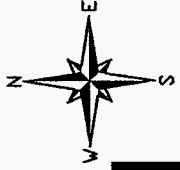
ASSOCIATE Herb P Zowtas
(Name and Title)
Authorized Agent


(Seal of Engineering Firm)
CV # 56895
10/24/06

COPY

PROJECT
LOCATION

VOLTERRA AND BELLINI AT MIROMAR LAKES
11-46-25-05-0000R-00CE & 11-46-25-07-00000.00CE
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

Gulf of Mexico

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the WATER AND SEWER SYSTEMS of Volterra and Bellini at Miromar Lakes to be free from defects in material and workmanship for a period of five (5) years 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.

Jensen Underground Utilities, Inc.

(Name of Owner/Contractor)

BY: 

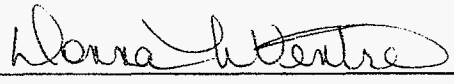
(Signature of Owner/Contractor)

STATE OF FL)

) SS:

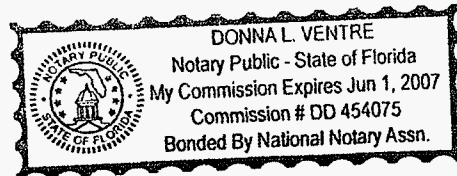
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 11 th day of January, 2007, by Kevin Jensen who is personally known to me - _____, and who did not take an oath.


Notary Public Signature

Donna L. Ventre
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 Three Hundred Ten Thousand Eight Hundred Fifty Dollars and no cents(\$310,850.00) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials furnished to Bellini Development, LLC on the job of Volterra and Bellini at Miromar Lakes to the following described property:

Volterra and Bellini at Miromar Lakes
(Name of Development/Project)

water distribution and sanitary sewer systems
(Facilities Constructed)

Lake Maggorie Way
(Location)

11-46-25-05-0000R.00CE and 11-46-25-07-00000.00CE
(Strap # or Section, Township & Range)

Dated on: February 22, 2007

By: [Signature]
(Signature of Authorized Representative)

Jensen Underground Utilities, Inc.
(Name of Firm or Corporation)

By: Kevin Jensen
(Print Name of Authorized Representative)

5585 Taylor Road
(Address of Firm or Corporation)

Title: President

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

Phone #: (239)597-0060 Ext.

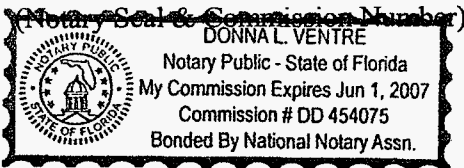
Fax#: (239)597-0061

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 22 nd day of February, 2007 by Kevin Jensen who is personally known to me - _____, and who did not take an oath.

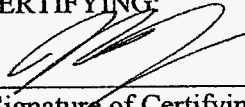
[Signature]
(Notary Public Signature)

Donna L. Ventre
(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)

Kevin Jensen, President

(Name & Title of Certifying Agent)

Jensen Underground Utilities, Inc.

(Name of Firm or Corporation)

5585 Taylor Road

(Address of Firm or Corporation)

Naples, FL 34109 -

STATE OF FL)

) SS:

COUNTY OF Collier)

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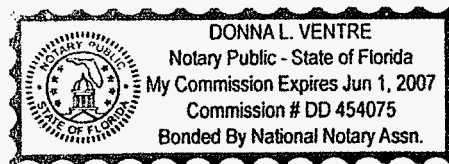
Notary Public Signature

Donna L Ventre

Printed Name of Notary Public

Notary Commission Number

(NOTARY SEAL)



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CERTIFYING:

X [Signature]
(Signature of Certifying Agent)

Kevin Jenesn, President
(Name & Title of Certifying Agent)

Jensen Underground Utilities, Inc.
(Name of Firm or Corporation)

5585 Taylor Road
(Address of Firm or Corporation)

Naples, FL 34109 -

STATE OF FL)
) SS:
COUNTY OF Collier)

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[Signature]
Notary Public Signature

Donna L Ventre
Printed Name of Notary Public

Notary Commission Number

