

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

Blue Sheet No. 20070484-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance by Resolution, as a donation of water distribution and gravity collection systems, to provide potable water service, fire protection and sanitary sewer service to the *Shops at Estero Town Commons*, a recently constructed commercial development. This is a Developer Contributed asset project located at the south-east corner of Corkscrew Road and Three Oaks 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

CIOF

6. Meeting Date:

APR 24 2007

7. Agenda:

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

8. Requirement/Purpose: (specify)

- Statute
- Ordinance
- Admin. Code
- Other **Approval**

9. Request Initiated:

Commissioner _____
 Department **Public Works**
 Division **Utilities**
 By: *Douglas L. Meurer* 3-29-2007
Douglas L. Meurer, P.E., Director

10. Background:

The Board granted permission to construct on 05/16/06, Blue Sheet #20060418.
 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#7815)
 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 are required.

SECTION 35 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.	
<i>J. Lavender</i> Date: 3-30-07	N/A Date:	N/A Date:	<i>T.O.</i> T. Osterhout Date: 3/29	<i>S. Coovert</i> S. Coovert Date: 4/2/07	<i>RK</i> 4/3	<i>MB</i> 4/2/07	<i>JK</i> 4/3/07	<i>J. Lavender</i> Date: 3-30-07	

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

4/2
4:30
COUNTY ADMIN FORWARDED TO: *PR*
4/3/07
1:13pm

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

RESOLUTION NO.

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

WHEREAS, it is the desire of "KRG/CCA ESTERO, LLC" owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution system), and sewer facilities (gravity collection system), serving "SHOPS AT ESTERO TOWN COMMONS"; 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 \$435,715.71 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 20070484-UTL

COPY

LETTER OF COMPLETION

DATE: 3/13/2007

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** located in
Shops at Estero Town Commons
(Name of Development)

were designed by me and have been constructed in conformance with:
the revised plans, attached 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**

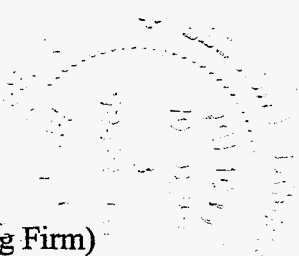
Very truly yours,

John R. Musser
(Owner or Name of Corporation/Firm)

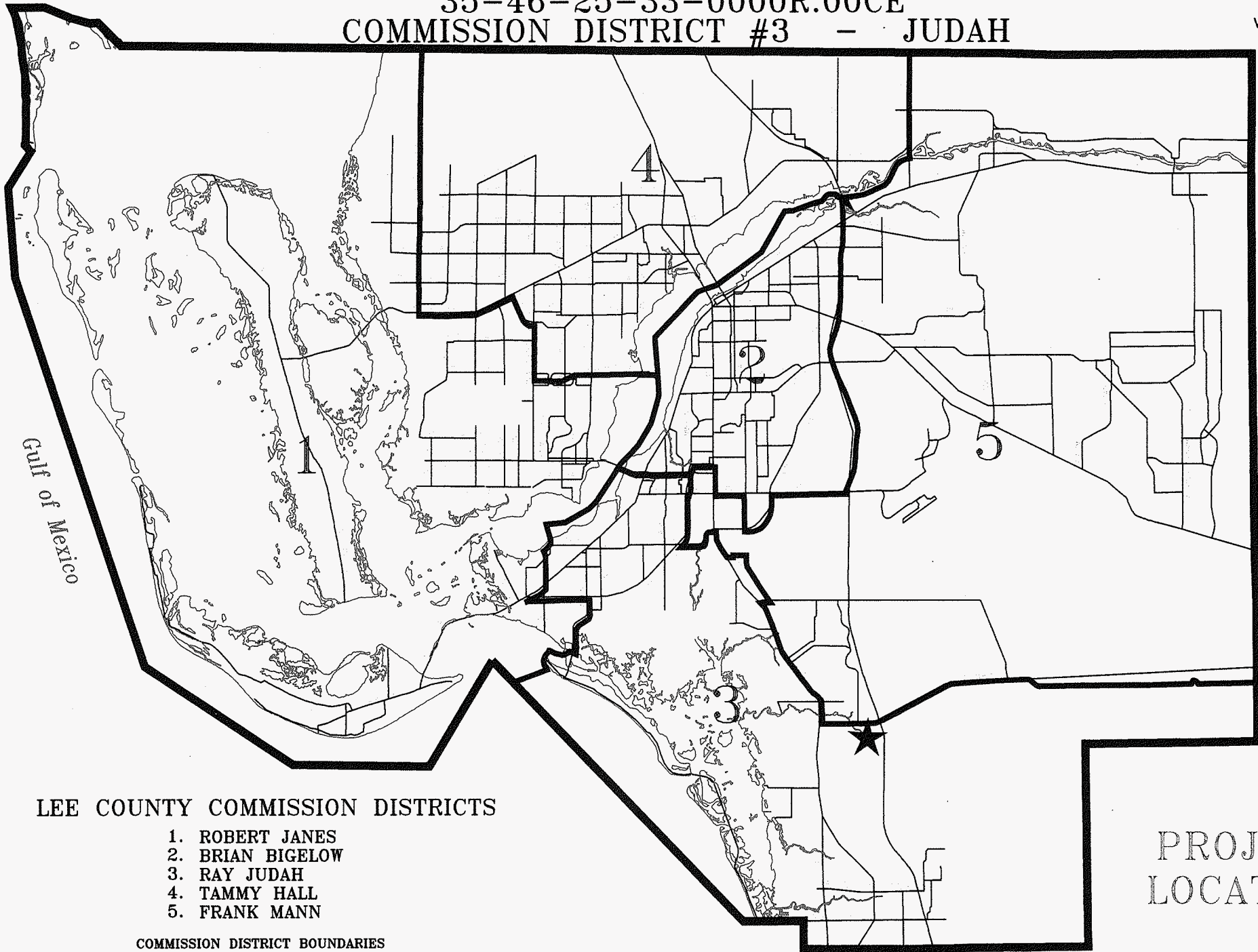
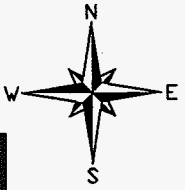
John R. Musser #31285 3-14-07
(Signature)

Project Engineer
(Title)

(Seal of Engineering Firm)



SHOPS AT ESTERO TOWN COMMONS
35-46-25-33-0000R.00CE
COMMISSION DISTRICT #3 - JUDAH



Gulf of Mexico

COPY

LEE COUNTY COMMISSION DISTRICTS

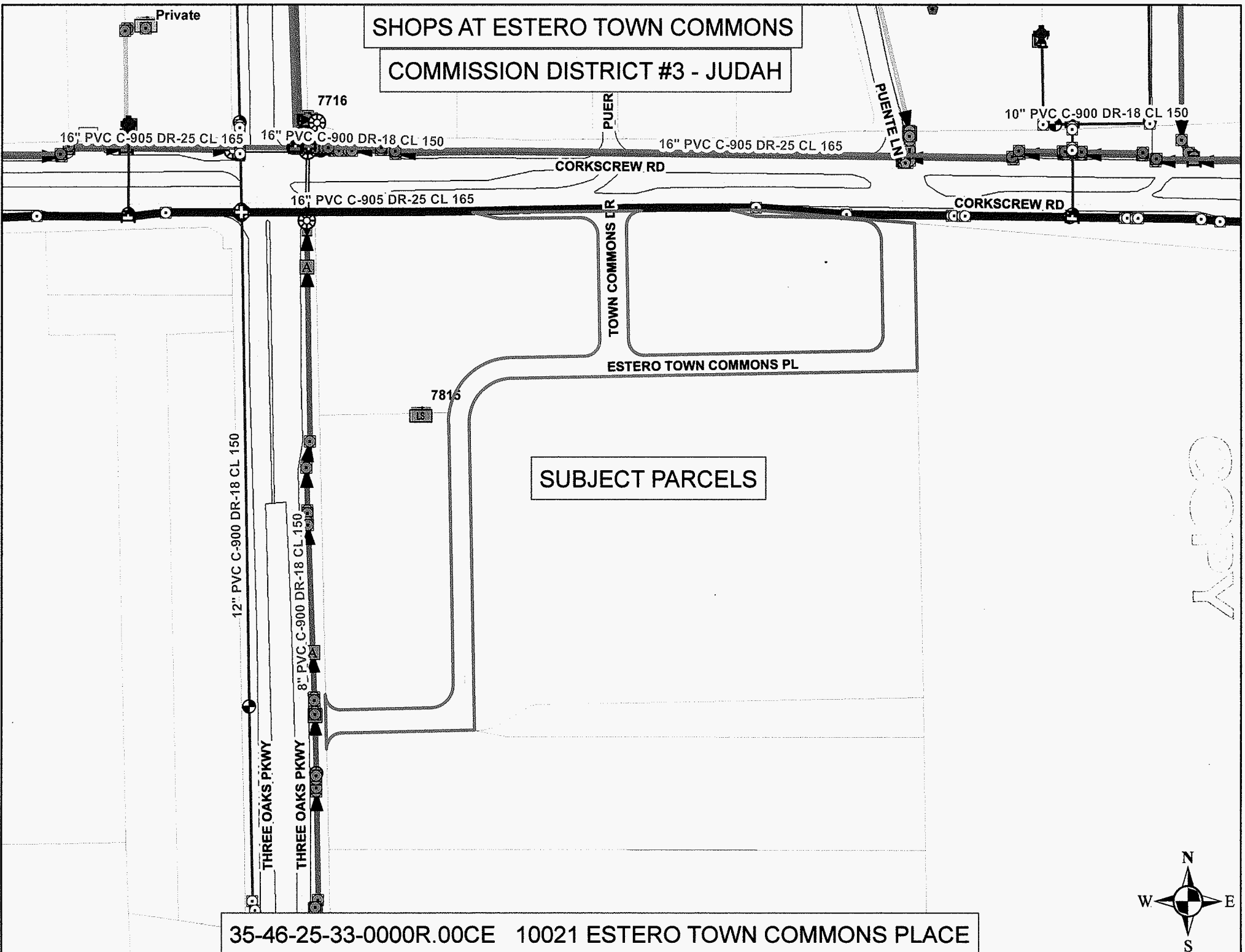
- 1. ROBERT JANES
- 2. BRIAN BIGELOW
- 3. RAY JUDAH
- 4. TAMMY HALL
- 5. FRANK MANN

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

PROJECT
LOCATION

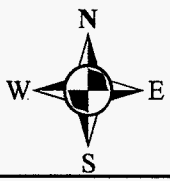
SHOPS AT ESTERO TOWN COMMONS

COMMISSION DISTRICT #3 - JUDAH



35-46-25-33-0000R.00CE 10021 ESTERO TOWN COMMONS PLACE

COPY



COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of SHOPS @ ESTERO TOWN COMMONS 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.

Diamond Underground, Inc.

(Name of Owner/Contractor)

BY: Penny A Sappah

(Signature of Owner/Contractor)

STATE OF FL)

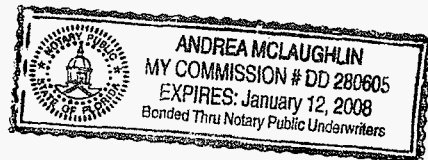
) SS:

COUNTY OF CHARLOTTE)

The foregoing instrument was signed and acknowledged before me this 23 rd day of FEB, 2007 by Penny A. Sappah who is personally known to me - _____, and who did not take an oath.

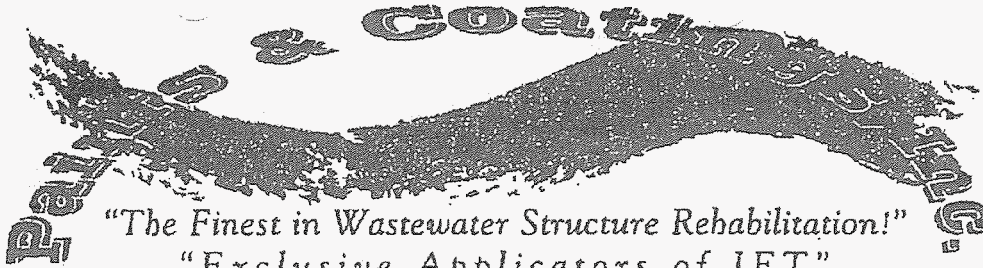
Andrea Mclaughlin
Notary Public Signature

ANDREA MCLAUGHLIN
Printed Name of Notary Public



(Notary Seal & Commission Number)





COPY

Date: November 21, 2006

FOR: Diamond Underground

JOB: Lowes

TEN YEAR UNLIMITED WARRANTY

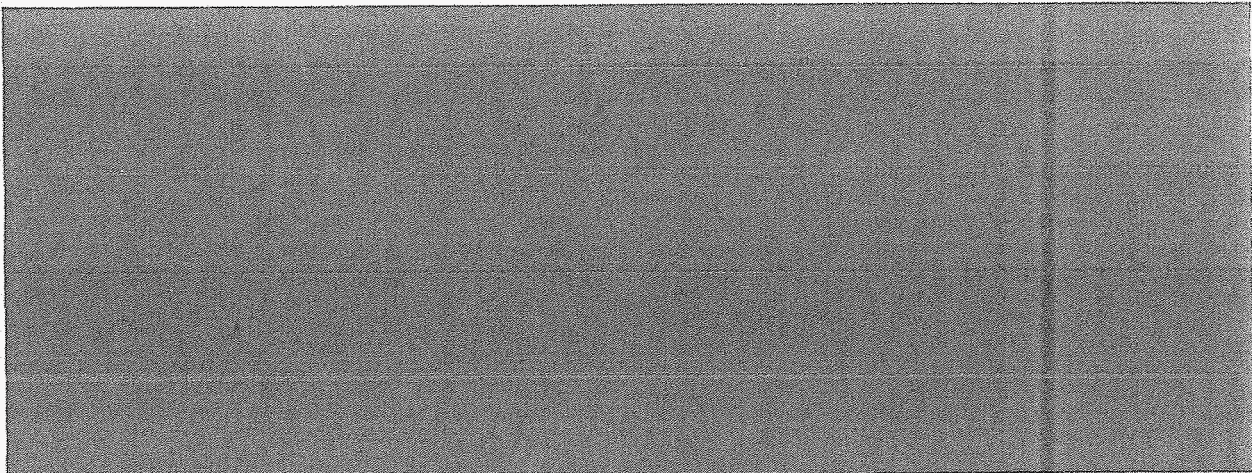
OUR DELUXE PREPARATION SYSTEM FOR APPLICATION OF IET ALLOWS US TO OFFER YOU A TEN YEAR UNLIMITED WARRANTY FOR ALL WORKMANSHIP.

ANY TYPE OF APPLICATOR ERROR WILL BE FIXED PROMPTLY WITHIN 72 HOURS OF BEING NOTIFIED.

Carl A. Laquidara
President

Jeffrey A. Vingling
Vice President

4461 Hancock Bridge Parkway • North Ft. Myers, Florida 33903 • (239) 997-6645 • (239) 997-7117 Fax



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)

Penny A. Sappah

Penny A. Sappah, VP

(Name & Title of Certifying Agent)

Diamond Underground, Inc.

(Name of Firm or Corporation)

30108 Cedar Rd.

(Address of Firm or Corporation)

Punta Gorda, FL 33982 -

STATE OF FL)

) SS:

COUNTY OF CHARLOTTE)

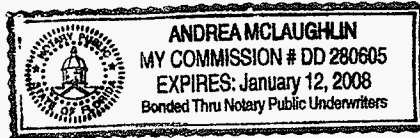
The foregoing instrument was signed and acknowledged before me this 22 nd day of March, 2007 by Penny A. Sappah who is personally known to me - _____, and who did not take an oath.

Andrea McLaughlin

Notary Public Signature

Andrea McLaughlin

Printed Name of Notary Public



Notary Commission Number

(NOTARY SEAL)



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

Penny A. Sappah

(Signature of Certifying Agent)

Penny A. Sappah, VP

(Name & Title of Certifying Agent)

Diamond Underground, Inc.

(Name of Firm or Corporation)

30108 Cedar Rd.

(Address of Firm or Corporation)

Punta Gorda, FL 33982 -

STATE OF FL)

) SS:

COUNTY OF CHARLOTTE)

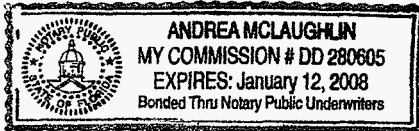
The foregoing instrument was signed and acknowledged before me this 22 nd day of March, 2007 by Penny A. Sappah who is personally known to me - _____, and who did not take an oath.

Andrea McLaughlin

Notary Public Signature

Andrea McLaughlin

Printed Name of Notary Public



Notary Commission Number

(NOTARY SEAL)

