

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

Blue Sheet No. 20070609-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 *Lakeview East at Verandah*, this phase of a recently constructed residential development. This is a Developer Contributed asset project located at the south side of State Road 80 approximately 1½ miles west of Buckingham 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 **C10K** **6. Meeting Date:** MAY 01 2007

<b>7. Agenda:</b> <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	<b>8. Requirement/Purpose: (specify)</b>		<b>9. Request Initiated:</b>
	<input type="checkbox"/> Statute	<input type="checkbox"/>	<b>Commissioner</b>
	<input type="checkbox"/> Ordinance	<input type="checkbox"/>	<b>Department</b> <u>Public Works</u>
	<input type="checkbox"/> Admin. Code	<input type="checkbox"/>	<b>Division</b> <u>Utilities</u>
	<input checked="" type="checkbox"/> Other	<u>Approval</u>	<b>By:</b> <u>Douglas L. Meurer</u> 4-12-2007 <b>Douglas L. Meurer, P.E., Director</b>

**10. Background:**

The Board granted permission to construct on 08/02/05, Blue Sheet #20050909.  
 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#4436)  
 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 32 TOWNSHIP 43S RANGE 26E 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: 4-16-07	N/A Date:	N/A Date:	<u>T.O. Osterhout</u> Date: 4/12	<u>S. Covert</u> Date: 4/14/07	<u>RK</u> 4/17	<u>MP</u> 4/18/07	<u>W</u> 4/17/07	<u>J. Lavender</u> Date: 4-16-07	

**12. Commission Action:**

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: RLC  
 4-17-07  
 10 AM  
 COUNTY ADMIN FORWARDED TO: RLC  
 4-18-07  
 11:15 AM

Rec. by CoAtty  
 Date: 4/16/07  
 Time: 4:00 PM  
 Forwarded to: 4/17/07  
 8:45 AM

RESOLUTION NO.

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

WHEREAS, it is the desire of "VERANDAH 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 "**LAKEVIEW EAST AT VERANDAH**"; 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 **\$633,568.71** 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 20070609- UTL**

**COPY**

LETTER OF COMPLETION

DATE: February 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 system** located in Lakeview East at Verandah  
\_\_\_\_\_ (Name of Development/Project) was designed by me and has been constructed in  
conformance with: **the approved plans and the approved specifications**

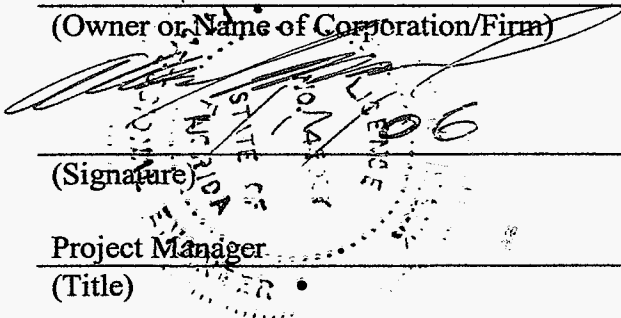
Upon completion of the work, we observed the following successful tests of the facilities:

**Pressure Test(s) - Water Main and Bacteriological Test**

Very truly yours,

Allen J. Mank, P.E. for Johnson Engineering, Inc.  
Fl.Lic. No. 45937

\_\_\_\_\_  
(Owner or Name of Corporation/Firm)



\_\_\_\_\_  
(Signature)

Project Manager

\_\_\_\_\_  
(Title)

(Seal of Engineering Firm)

**JOHNSON ENGINEERING, INC.**  
2158 Johnson Street  
P.O. Box 1550  
Fort Myers, FL 33902  
(239) 334-0046  
Fax (239) 334-3661  
EB #642 LB #642

**COPY**

LETTER OF COMPLETION

DATE: March 13, 2006

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

Gentlemen:

This is to certify that the **sanitary sewer systems** located in Lakeview East in Verandah (Name of Development/Project) were 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 , Low Pressure Test(s) - Gravity Main ,  
TV Inspection, Mandrill - Gravity Main and Lift Station Start-up.**

Very truly yours,

Johnson Engineering, Inc.  
2158 Johnson Street, P.O. Box 1550  
Fort Myers, FL 33902

\_\_\_\_\_  
(Owner or Name of Corporation/Firm)

\_\_\_\_\_  
(Signature)

Allen J. Mank, P.E.  
Project Manager  
FL. Lic. No. 45937

\_\_\_\_\_  
(Title)

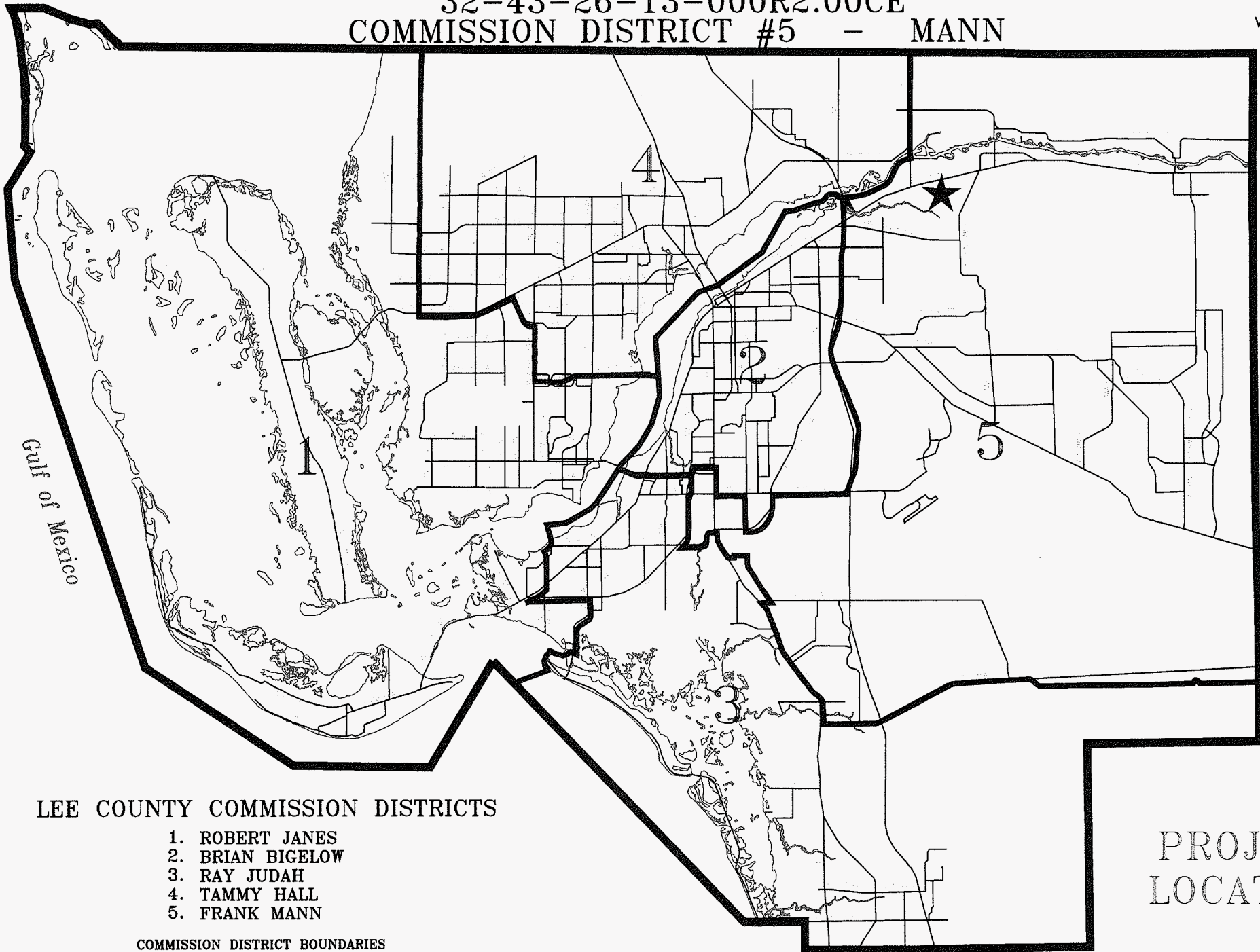
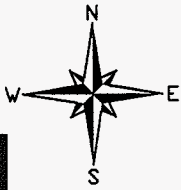
(Seal of Engineering Firm)

**JOHNSON ENGINEERING, INC.  
2158 Johnson Street  
P.O. Box 1550  
Fort Myers, FL 33902  
(239) 334-0046  
Fax (239) 334-3661  
EB #642 LB #642**

 **LEE COUNTY**  
SOUTHWEST FLORIDA  
(Forms - Letter of Completion - Revised 2004)



VERANDAH, LAKEVIEW EAST  
32-43-26-13-000R2.00CE  
COMMISSION DISTRICT #5 - MANN



LEE COUNTY COMMISSION DISTRICTS

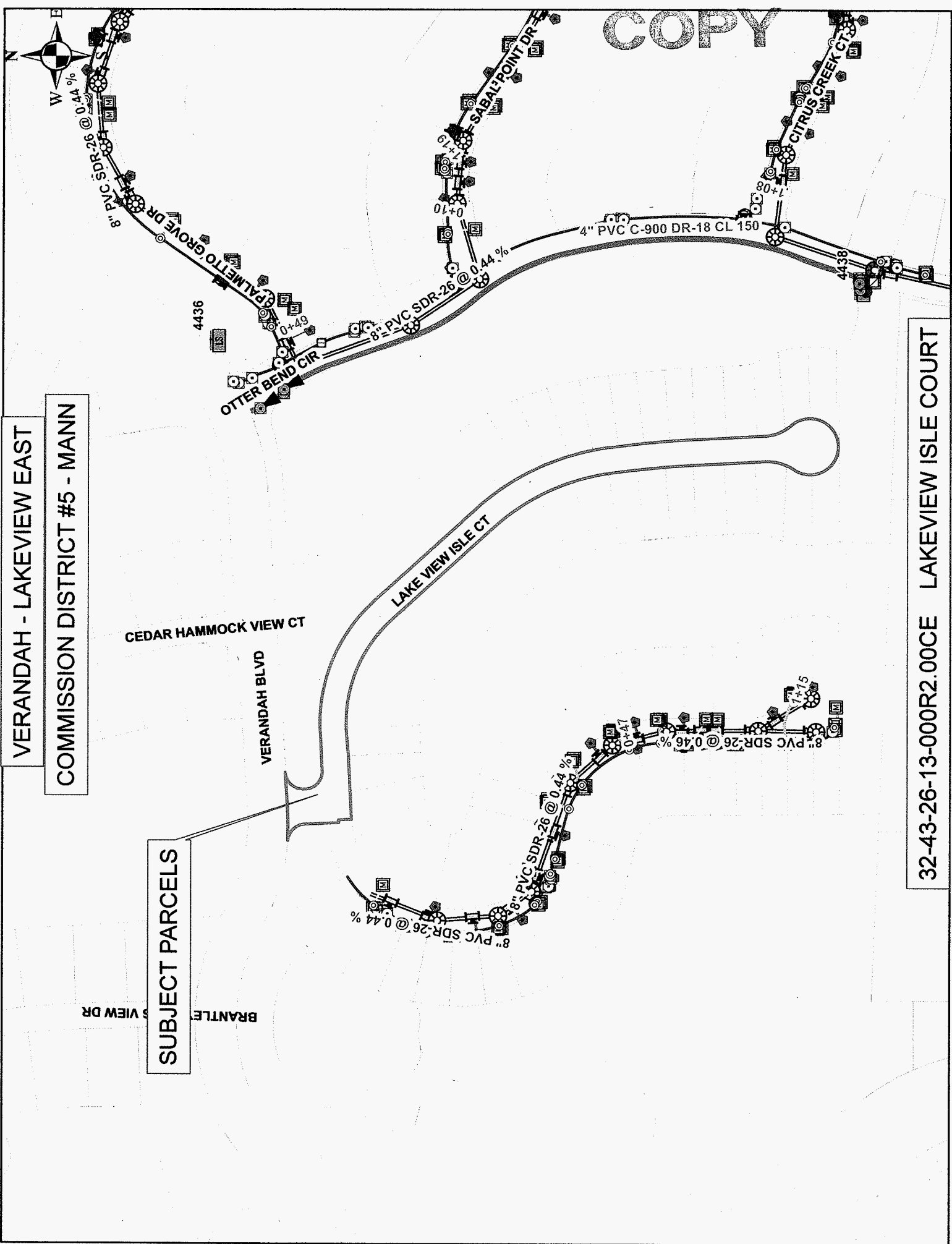
- 1. ROBERT JANES
- 2. BRIAN BIGELOW
- 3. RAY JUDAH
- 4. TAMMY HALL
- 5. FRANK MANN

COMMISSION DISTRICT BOUNDARIES  
DECEMBER 2000

PROJECT  
LOCATION

COPY

COPY



VERANDAH - LAKEVIEW EAST

COMMISSION DISTRICT #5 - MANN

SUBJECT PARCELS

32-43-26-13-000R2.00CE LAKEVIEW ISLE COURT


WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of Lakeview East at Verandah 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 Const. Co., Inc.  
(Contractor/Company Name)

Brian Penner, Vice President  
(Authorized Representative, Title)

BY:   
(Signature)

STATE OF FL )  
 ) SS:  
COUNTY OF Collier )

The foregoing instrument was signed and acknowledged before me this 13 th day of March, 2006 by Brian Penner who is personally known to me - \_\_\_\_\_, and who did not take an oath.

  
Notary Public Signature



Belinda Burgbacher  
Commission #DD179217  
Expires: Jan 22, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.

Belinda Burgbacher  
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 Six hundred thirty three thousand five hundred sixty eight dollars and seventy one cents (\$633,568.71 ) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Verandah Development LLC (F.K.A. State Road 80 LLC) on the job of Lakeview East at Verandah to the following described property:

Lakeview East at Verandah  
(Name of Development/Project)

water distribution and sanitary sewer systems  
(Facilities Constructed)

Verandah Blvd. and Lakeview Isles Ct.  
Ft. Myers, FL 33905

32-43-26-13-000R2.00CE, 32-43-26-13-000R1.00CE,  
32-43-26-17-00LS1.00CE  
32-43-26-14-00LS1.00CE

(Location)

(Strap # or Section, Township & Range)

Dated on: October 24, 2006

By: [Signature]  
(Signature of Authorized Representative)

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

By: Brian Penner  
(Print Name of Authorized Representative)

6001 Shirley Street  
(Address of Firm or Corporation)

Title: Vice President


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

Phone #: (239)597-2165 Ext.25

Fax#: (236)566-7865

STATE OF FL )  
) SS:  
COUNTY OF Collier )

The foregoing instrument was signed and acknowledged before me this 24 th day of October, 2006 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)

Belinda Burgbacher  
(Printed Name of Notary Public)





## CERTIFICATION OF CONTRIBUTORY ASSETS

**PROJECT NAME:** Lakeview East at Verandah

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**STRAP NUMBER:** 32-43-26-13-000R2.00CE , 32-43-26-13-000R1.00CE , 32-43-26-17-00LS1.00CE,  
32-43-26-14-00LS1.00CE

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**LOCATION:** Verandah Blvd. and Lakeview Isles Ct., Ft. Myers, FL 33905

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**OWNER'S NAME:** Verandah Development LLC (F.K.A., State Road 80 LLC)

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**OWNER'S ADDRESS:** 9990 Coconut Road, Suite 200

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**OWNER'S ADDRESS:** Bonita Springs, FL 34135-

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**TYPE UTILITY SYSTEM:** POTABLE WATER

(Please provide separate 'Certifications' for potable water, sanitary sewer and effluent reuse facilities.)

<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
PVC C-900 DR-18	12"	2,054.0	LF	\$25.40	\$52,171.60
CL-50 DIP	12"	140.0	LF	\$29.65	\$4,151.00
PVC C-900 DR-18	10"	21.0	LF	\$21.50	\$451.50
CL-50 DIP	10"	50.0	LF	\$23.80	\$1,190.00
PVC C-900 DR-18	8"	1,421.0	LF	\$19.50	\$27,709.50
CL-50 DIP	8"	225.0	LF	\$23.80	\$5,355.00
PVC C-900 DR-18	4"	168.0	LF	\$15.85	\$2,662.80
CL-50 DIP	4"	49.0	LF	\$19.00	\$931.00
FIRE HYDRANT ASSEMBLY	6"	6.0	EA	\$2,960.00	\$17,760.00
GATE VALVE	12"	7.0	EA	\$1,572.00	\$11,004.00
GATE VALVE	10"	1.0	EA	\$1,466.00	\$1,466.00
GATE VALVE	8"	8.0	EA	\$990.00	\$7,920.00
GATE VALVE	4"	1.0	EA	\$695.00	\$695.00
SINGLE WATER SERVICE/COMPLETE	1"	14.0	EA	\$560.00	\$7,840.00
DOUBLE WATER SERVICE/COMPLETE	1"	16.0	EA	\$715.00	\$11,440.00
BLOW-OFF ASSEMBLY	4"	1.0	EA	\$1,460.00	\$1,460.00
BLOW-OFF ASSEMBLY	12"	1.0	EA	\$1,800.00	\$1,800.00
<b><u>TOTAL</u></b>					<b>\$156,007.40</b>


**DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES**

Please list each element of the system from the drop-down list provided.

(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 of Certifying Agent)

L.D. Neal, Project Manager  
\_\_\_\_\_  
(Name & Title of Certifying Agent)


Mitchell & Stark Const. 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 13 th day of March, 2006 by L.D. Neal, Project Manager who is personally known to me - \_\_\_\_\_, and who did not take an oath.

  
\_\_\_\_\_  
Notary Public Signature

Belinda Burgbacher  
\_\_\_\_\_  
Printed Name of Notary Public



Belinda Burgbacher  
Commission #DD179217  
Expires: Jan 22, 2007  
Bonded Thru  
Atlantic Bonding Co., Inc.

\_\_\_\_\_  
Notary Commission Number

(NOTARY SEAL)



## CERTIFICATION OF CONTRIBUTORY ASSETS

**PROJECT NAME:** Lakeview East at Verandah

---

**STRAP NUMBER:** 32-43-26-13-000R2.00CE , 32-43-26-13-000R1.00CE , 32-43-26-17-00LS1.00CE,  
32-43-26-14-00LS1.00CE

---

**LOCATION:** Verandah Blvd. and Lakeview Isles Ct., Ft. Myers, FL 33905

---

**OWNER'S NAME:** Verandah Development LLC (F.K.A., State Road 80 LLC)

---

**OWNER'S ADDRESS:** 9990 Coconut Road, Suite 200

---

**OWNER'S ADDRESS:** Bonita Springs, FL 34135-

---

**TYPE UTILITY SYSTEM: SANITARY SEWER**

(Please provide separate 'Certifications' for potable water, sanitary sewer and effluent reuse facilities.)

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
PVC SDR-26 GRAVITY MAIN	8"	2,307.0	LF	\$35.20	\$81,206.40
PVC SDR-26 GRAVITY MAIN	10"	1,085.0	LF	\$46.80	\$50,778.00
MANHOLE	4'	15.0	EA	\$6,750.00	\$101,250.00
MANHOLE	6'	4.0	EA	\$15,500.00	\$62,000.00
LIFT STATION	6'	1.0	EA	\$98,000.00	\$98,000.00
SINGLE SEWER SERVICE W/CLEANOUT		8.0	EA	\$890.00	\$7,120.00
DOUBLE SEWER SERVICE W/CLEANOUT		19.0	EA	\$945.00	\$17,955.00
PVC C-900 DR-18	10"	749.0	LF	\$23.25	\$17,414.25
PVC C-900 DR-14	10"	80.0	LF	\$28.00	\$2,240.00
PVC C-900 DR-18	8"	1,138.0	LF	\$20.60	\$23,442.80
PVC C-900 DR-14	8"	170.0	LF	\$22.72	\$3,862.40
PVC C-900 DR-18	6"	129.0	LF	\$16.36	\$2,110.44
PVC C-900 DR-18	4"	29.0	LF	\$16.00	\$464.00
PVC C-900 DR-14	4"	81.0	LF	\$17.42	\$1,411.02
PLUG VALVE	10"	1.0	EA	\$1,785.00	\$1,785.00
PLUG VALVE	8"	2.0	EA	\$1,466.00	\$2,932.00
PLUG VALVE	4"	3.0	EA	\$730.00	\$2,190.00
BLOW-OFF ASSEMBLY	6"	1.0	EA	\$1,400.00	\$1,400.00
<b>TOTAL</b>					<b>\$477,561.31</b>

**DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES**

Please list each element of the system from the drop-down list provided.

(If more space is required, use additional forms(s).)

**LEE COUNTY**  
SOUTHWEST FLORIDA  
Contractor's Certification of Contributory Assets – Form (January 2004)



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)

L.D. Neal, Project Manager

(Name & Title of Certifying Agent)

Mitchell & Stark Const. 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 24 th day of October, 2006 by L.D. Neal, Project Manager who is personally known to me - \_\_\_\_\_, and who did not take an oath.

\_\_\_\_\_  
Notary Public Signature

Belinda Burgbacher

Printed Name of Notary Public

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

Belinda Burgbacher  
Notary Commission Number

(NOTARY SEAL)

