

**LEE COUNTY BOARD OF COUNTY COMMISSIONERS**  
**AGENDA ITEM SUMMARY** **BLUE SHEET NO: 20041150 -UTL**

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Approve final acceptance, by Resolution as a donation for a water main and gravity main extension serving *International Center, Tract 'B', Phase 2*. This is a Developer contributed asset project located on International Drive approximately 1,200' south of Daniel's Parkway.

**WHY ACTION IS NECESSARY:**

To provide potable water service, fire protection and sanitary sewer service to this phase of the recently constructed Commercial/Light Industrial subdivision.

**WHAT ACTION ACCOMPLISHES:**

Places the water system and gravity main into operation and complies with the Lee County Utilities Operations Manual.

**2. DEPARTMENTAL CATEGORY: 10**  
**COMMISSION DISTRICT #: 5**

C10B

**3. MEETING DATE:** 09-28-2004

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED: \_\_\_\_\_

**5. REQUIREMENT/PURPOSE:**

- (Specify)*
- STATUTE \_\_\_\_\_
  - ORDINANCE \_\_\_\_\_
  - ADMIN. CODE \_\_\_\_\_
  - OTHER Res. \_\_\_\_\_

**6. REQUESTOR OF INFORMATION:**

A. COMMISSIONER: \_\_\_\_\_  
 B. DEPARTMENT: Lee County Public Works  
 C. DIVISION/SECTION: Utilities Division  
 BY: Rick Diaz, P.E., Utilities Director  
 DATE: 9/9/04

**7. BACKGROUND:**

The Board granted permission to construct on August 15, 2000; Blue Sheet No.20000789.  
 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 mains 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 for this phase.  
 No Funds required.

SECTION 19      TOWNSHIP 45S      RANGE 25E      DISTRICT #5      COMMISSIONER ALBION

**MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL**

(A) DEPARTMENT DIRECTOR	(B) PURCH. OR CONTRACTS	(C) HUMAN RESOURCES	(D) OTHER	(E) COUNTY ATTORNEY	(F) BUDGET SERVICES				(G) COUNTY MANAGER
					OA	OM	Risk	GC	
<i>J. Lavender</i> Date: <u>9-10-04</u>	N/A Date:	N/A Date:	<u>P.O.</u> T. Osterhout Date: <u>9-9</u>	<u>S. Covert</u> Date:	<u>R.N.</u> 9/13/04	<u>B.</u> 9/14/04	<u>W.D.</u> 9/13/04	<u>R.N.</u> 9/13/04	<i>J. Lavender</i> Date: <u>9-10-04</u>

**10. COMMISSION ACTION:**

- \_\_\_\_\_ APPROVED
- \_\_\_\_\_ DENIED
- \_\_\_\_\_ DEFERRED
- \_\_\_\_\_ OTHER

Rec. by CoAtty

Date: 9/10/04

Time: 4:10

Forwarded To:

Admin  
9/10/04 2:20 PM

RECEIVED BY  
COUNTY ADMIN:

9/10/04

4:35 pm

COUNTY ADMIN  
FORWARDED TO: AL

9-15-04

9 AM

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

WHEREAS, it is the desire of "Porto Fino Circle Assn." , owner of record, to make a contribution to Lee County Utilities of water facilities (water distribution system) and sewer facilities (gravity main extension) serving **"INTERNATIONAL CENTER, TRACT B, PHASE 2"**; 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 **\$51,270.00** 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 Douglas St. Cerny: \_\_\_\_\_ (2)
- Commissioner Ray Judah: \_\_\_\_\_ (3)
- Commissioner Andrew Coy: \_\_\_\_\_ (4)
- Commissioner John Albion: \_\_\_\_\_ (5)

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
DEPUTY CLERK

By: \_\_\_\_\_  
CHAIRMAN

APPROVED AS TO FORM

\_\_\_\_\_  
OFFICE OF COUNTY ATTORNEY

LETTER OF COMPLETION

DATE: 4/21/2003

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 system located in  
International Center Tract B (Phase 2)  
(Name of Development)

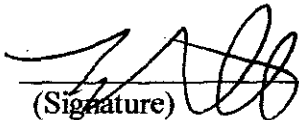
were designed by me and have been constructed in conformance with:  
**the approved plans and the approved specifications**

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

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

Very truly yours,

Ryan M. Shute, P.E., Morris-Depew Associates, Inc. FLCA 6532  
(Owner or Name of Corporation)

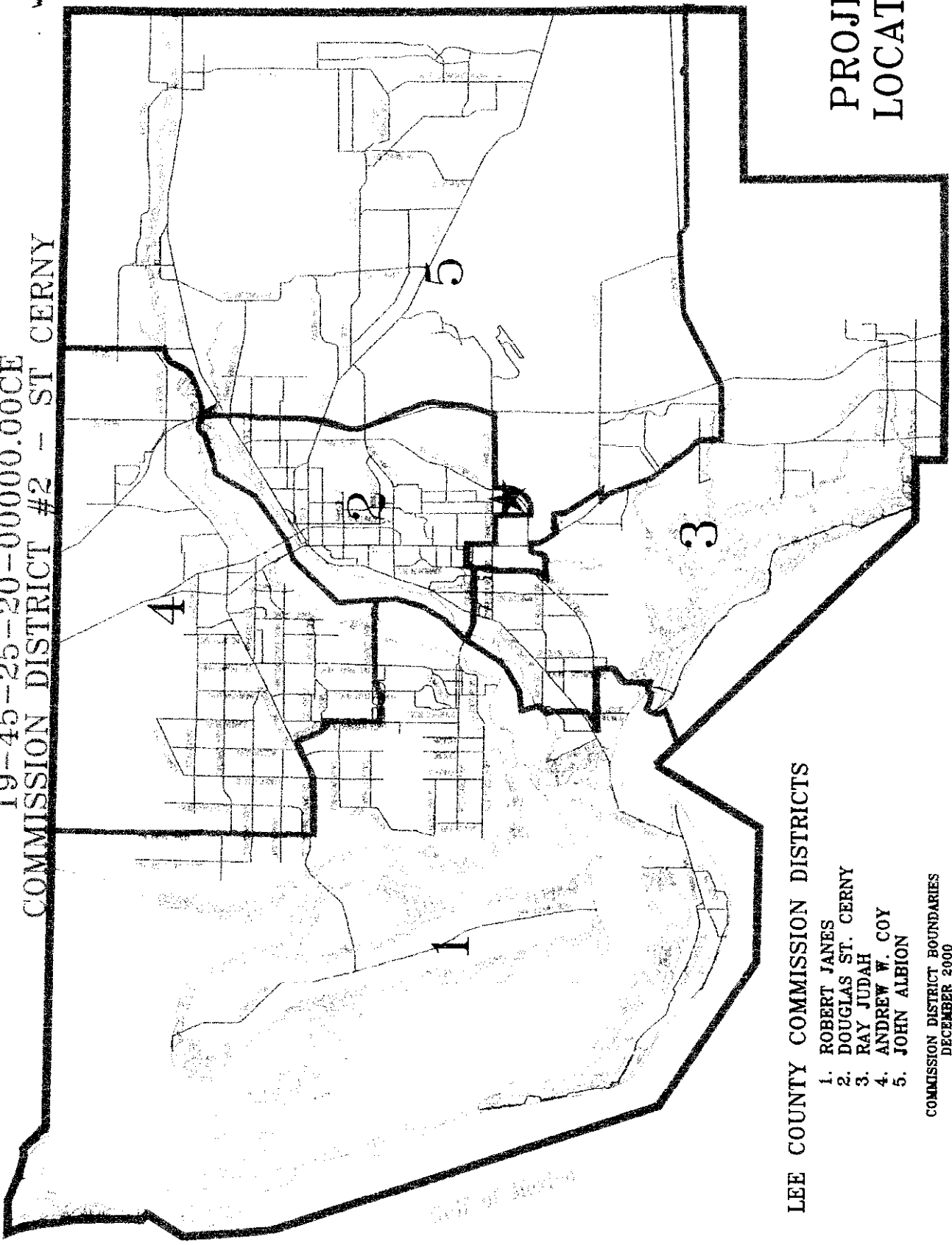
  
(Signature)

P.E. 54597

Vice President  
(Title)

(Seal of Engineering Firm)

INTERNATIONAL CENTER, TRACT B, PHASE 2  
19-45-25-20-0000.00CE  
COMMISSION DISTRICT #2 - ST CERNY



# PROJECT LOCATION

## LEE COUNTY COMMISSION DISTRICTS

- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. ANDREW W. COY
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES  
DECEMBER 2006

INTERNATIONAL CENTER - TRACT B - PHASE 2

COMMISSION DISTRICT #2 - ST CERNY

CYPRESS PKWY (SR 865)

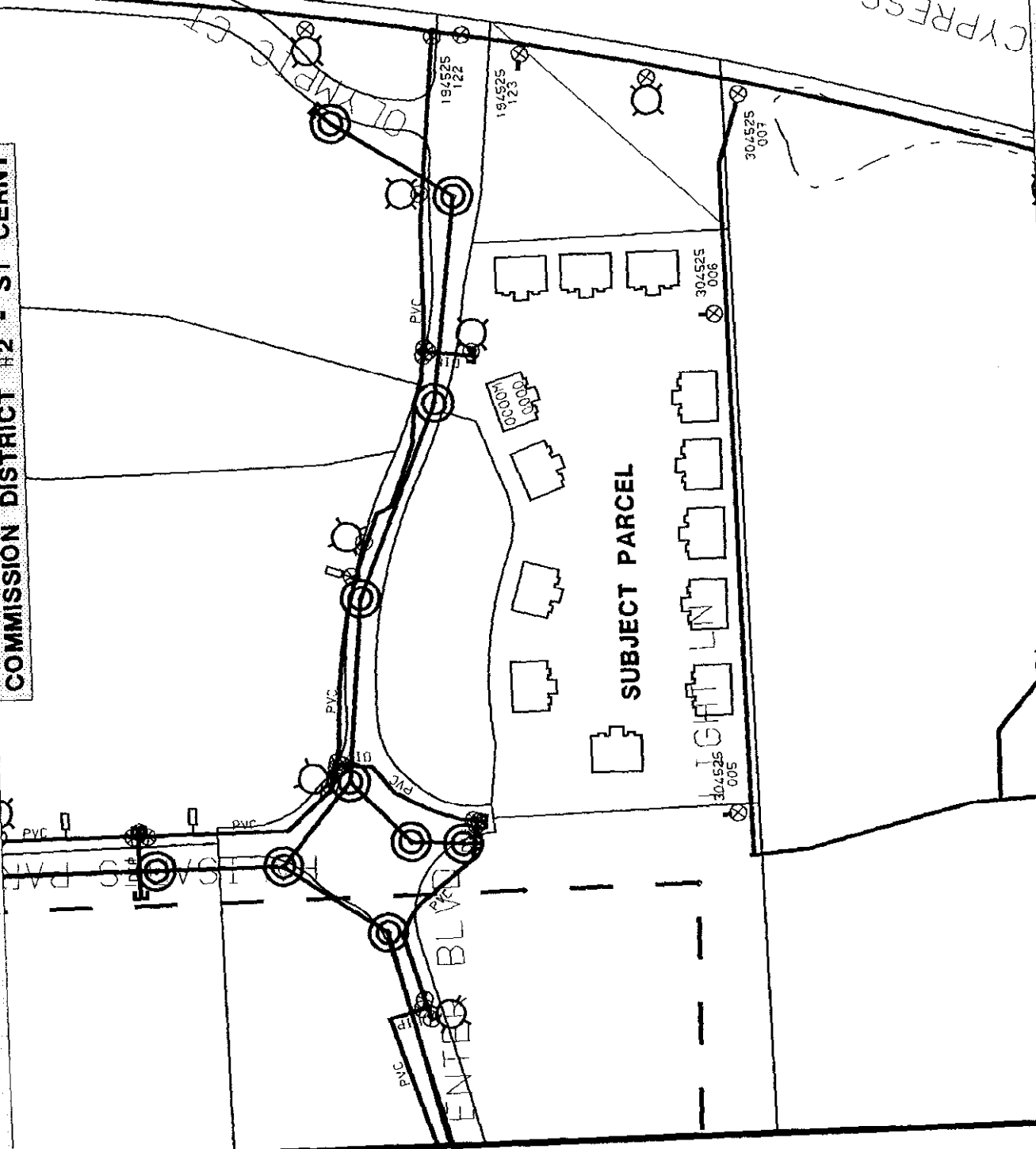
PORTO FINO CIRCLE

19-45-25-20-00000.00CE

THOMAS PARK

ENTER BLVD

SUBJECT PARCEL



WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of International Center, Tract B - Phase 2 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.

Kenneth Cabana, Cabana Construction  
(Name of Owner/Contractor)

BY: *Kenneth Cabana*  
(Signature of Owner/Contractor)

STATE OF FL )  
 ) SS:  
COUNTY OF LEE )

The foregoing instrument was signed and acknowledged before me this 20<sup>th</sup> day of JULY, 2004 by Kenneth Cabana who has produced the following as identification - FL DL#C150-510-61-241-0 , and who did not take an oath.

*Linda S. White*  
Notary Public Signature

Linda S. White  
Printed Name of Notary Public



Linda S. White  
Commission #DD149792  
Expires: Sep 12, 2006  
Bonded Thru  
Atlantic Bonding Co., Inc.

(Notary Seal & Commission Number)

JUL 20 2004

**WAIVER AND RELEASE OF LIEN  
UPON FINAL PAYMENT**

The undersigned lienor, in consideration of the final payment in the amount of fifty-one thousand two hundred seventy and 00/100(\$51,270.00 ) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to International Center, LLC (Porto Fino Circle) on the job of International Center, Tract B - Phase 2 to the following described property:

International Center, Tract B - Phase 2  
(Name of Development/Project)

water distribution and sanitary sewer systems  
(Facilities Constructed)

Porto Fino Circle  
(Location)

19-45-25-20-00000.00CE  
(Strap # or Section, Township & Range)

Dated on: July 20, 2004

By:   
(Signature of Authorized Representative)

Cabana Construction  
(Name of Firm or Corporation)

By: Kenneth Cabana  
(Print Name of Authorized Representative)

P. O. Box 60639  
(Address of Firm or Corporation)

Title: Vice President

Fort Myers, FL 33906-  
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)332-1665 Ext.

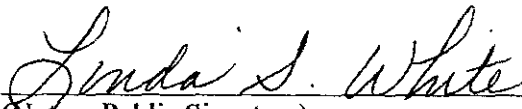
Fax#: (239)332-4836

STATE OF FL )  
 ) SS:  
COUNTY OF LEE )

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(Notary Seal & Commission Number)

Linda S. White  
(Printed Name of Notary Public)

**CERTIFICATION OF CONTRIBUTORY ASSETS**

**PROJECT NAME:** International Center, Tract B - Phase 2

**STRAP NUMBER:** 19-45-25-20-00000.00CE

**LOCATION:** Porto Fino Circle

**OWNER'S NAME:** (as shown on Deed) International Center LLC (Porto Fino Circle)

**OWNER'S ADDRESS:** 15436 N. Florida Av., Suite 101

**OWNER'S ADDRESS:** Tampa, FL 33613-

**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.

<b>ITEM</b>	<b>SIZE</b>	<b>QUANTITY</b>	<b>UNIT</b>	<b>UNIT COST</b>	<b>TOTAL</b>
PVC C-900 DR-18 WATER MAIN	10"	200.0	LF	\$22.00	\$4,400.00
CL-50 DIP WATER MAIN	10"	600.0	LF	\$30.00	\$18,000.00
FIRE HYDRANT ASSEMBLY		1.0	LS	\$2,500.00	\$2,500.00
GATE VALVE	10"	1.0	EA	\$1,000.00	\$1,000.00
SINGLE WATER SERVICE/COMPLETE	1"	7.0	EA	\$650.00	\$4,550.00
DOUBLE WATER SERVICE/COMPLETE	1"	1.0	EA	\$1,300.00	\$1,300.00
<b>TOTAL</b>					<b>\$31,750.00</b>

(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 *Kenneth Cabana*  
(Signature of Certifying Agent)

Kenneth Cabana  
(Name & Title of Certifying Agent)

Cabana Construction  
(Name of Firm or Corporation)

P. O. Box 60639  
(Address of Firm or Corporation)

Fort Myers, FL 33906 -

STATE OF FL )  
                  ) SS:  
COUNTY OF LEE )

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Printed Name of Notary Public

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Notary Commission Number



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Commission #DD149792  
Expires: Sep 12, 2006  
Bonded Thru  
Atlantic Bonding Co., Inc.

(NOTARY SEAL)

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**LOCATION:** Porto Fino Circle

**OWNER'S NAME:** (as shown on Deed) International Center LLC (Porto Fino Circle)

**OWNER'S ADDRESS:** 15436 N. Florida Av., Suite 101

**OWNER'S ADDRESS:** Tampa, FL 33613-

**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.

<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
PVC SDR-26 GRAVITY MAIN	8"	421.0	LF	\$20.00	\$8,420.00
MANHOLE	4'	1.0	EA	\$3,000.00	\$3,000.00
SINGLE SEWER SERVICE W/CLEANOUT	6"	9.0	EA	\$900.00	\$8,100.00
<b>TOTAL</b>					<b>\$19,520.00</b>

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

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(Name & Title of Certifying Agent)

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25