

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

Blue Sheet No. 20070335-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance, as a donation of a water main extension, to provide potable water service and fire protection to *Cypress Square, Phase III*, two recently constructed commercial buildings. This is a Developer contributed asset and the project is located on the east side of McGregor Drive approximately 500' north of Cypress Lake Drive.

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 C100		6. Meeting Date: APR 03 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"/> Ordinance <input type="checkbox"/> Admin. Code <input checked="" type="checkbox"/> Other Approval	9. Request Initiated: Commissioner Department <u>Public Works</u> Division <u>Utilities</u> <i>By: Douglas L. Meurer 3.19.2007</i> Douglas L. Meurer, P.E., Director

10. Background:

Fire hydrants and single water services 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.
 100% of the connection fees have been paid.
 Sanitary sewer service is provided by Lee County Utilities via existing infrastructure located within the right-of-way of Cypress Lake Drive.
 No funds required.

SECTION 21 TOWNSHIP 453S RANGE 24E 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: 3.19.07	N/A Date:	N/A Date:	<i>T.O.</i> T. Osterhout Date: 3/19	<i>S. Covert</i> S. Covert Date: 3/20/07	<i>RK</i> 3/20	<i>MP</i> 3/20/07	<i>18</i> 3/21/07	<i>J. Lavender</i> Date: 3.19.07	

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN: *RK*
3/20/07
3:30 pm
COUNTY ADMIN
FORWARDED TO: *RK*
3/21/07
9:15 am

Rec. by CoAtty
Date: 3/20/07
Time: 11:30 AM
Forwarded To:
Admin.
3/20/07 2:30 pm

RESOLUTION NO.

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

WHEREAS, it is the desire of "Eddie Neese", owner of record, to make a contribution to Lee County Utilities of water facilities (water main extension, potable water and fire protection), serving "Cypress Square, Phase III"; 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 **\$25,752.66** 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 20070335-UTL

COPY

LETTER OF COMPLETION

DATE: 12/14/2006

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 located in
Cypress Square Phase III
(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:

Pressure Test(s) - Water Main

Very truly yours,

Michael L. Prince, Neese & Associates
(Owner or Name of Corporation)

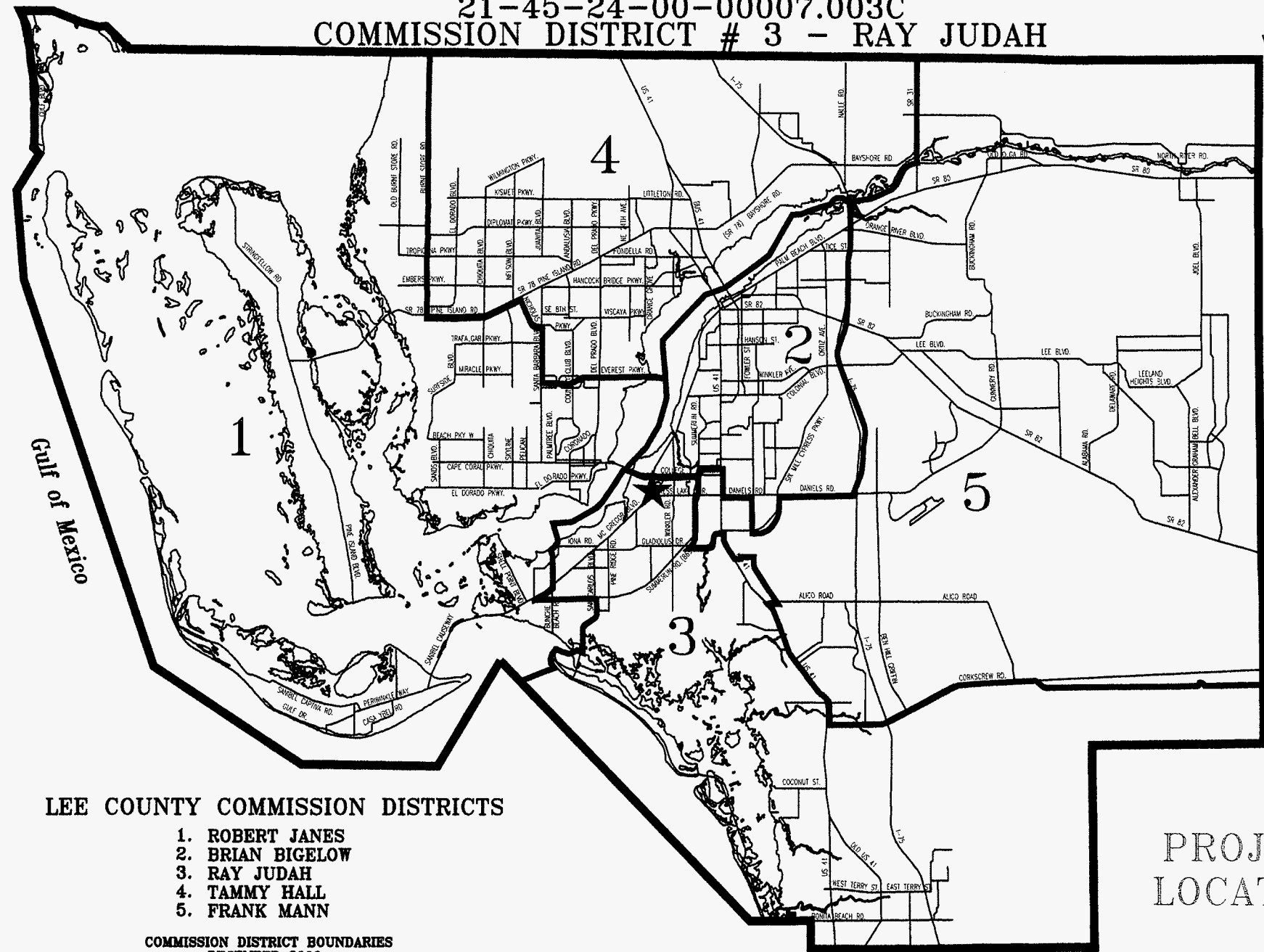
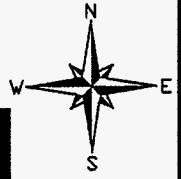
Michael L. Prince 12/14/06
(Signature)

Authorized Agent
(Title)

(Seal of Engineering Firm)



CYPRESS SQUARE PHASE III
21-45-24-00-00007.003C
COMMISSION DISTRICT # 3 - RAY JUDAH



Gulf of Mexico

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

PROJECT
 LOCATION

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water systems of CYPRESS SQUARE PH III 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.

Haleakala Construction, Inc.

(Contractor/Company Name)

Brenda K. Merchant, Authorized Agent

(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 December, 2006 by Brenda K. Merchant who is personally known to me - _____, and who did not take an oath.


Notary Public Signature

Linda Mahon
Printed Name of Notary Public



Linda Mahon
Commission #DD177119
Expires: Feb 21, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

(Notary Seal & Commission Number)



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

The undersigned lienor, in consideration of the final payment in the amount of TWENTY FIVE THOUSAND, SEVEN HUNDRED FIFTY TWO DOLLARS & SIXTY SIX CENTS(\$25,752.66) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to EDDIE NEESE on the job of CYPRESS SQUARE PH III to the following described property:

CYPRESS SQUARE PH III
(Name of Development/Project)

water distribution system
(Facilities Constructed)

13375 MCGREGOR BLVD
(Location)

21-45-24-00-00007.003C
(Strap # or Section, Township & Range)

Dated on: February 6, 2007

By: [Signature]
(Signature of Authorized Representative)

HALEAKALA CONSTRUCTION INC.
(Name of Firm or Corporation)

By: BRENDA K. MERCHANT
(Print Name of Authorized Representative)

5758 TAYLOR ROAD
(Address of Firm or Corporation)

Title: AUTHORIZED AGENT

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

Phone #: (239)598-1968 Ext.

Fax#: (239)598-9418

STATE OF FL)
) SS:
COUNTY OF COLLIER)

The foregoing instrument was signed and acknowledged before me this 21 st day of February, 2007 by BRENDA K. MERCHANT who is personally known to me - _____, and who did not take an oath.

NOTARY PUBLIC - STATE OF FLORIDA
Linda Mahon
Commission # DD628677
Expires: FEB. 21, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

[Signature]
(Notary Public Signature)

(Notary Seal & Commission Number)

LINDA MAHON
(Printed Name of Notary Public)

COPY

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Cypress Square Phase III

STRAP NUMBER: 21-45-24-00-00007-003C

LOCATION: 13375 McGregor Blvd.

OWNER'S NAME: (as shown on Deed) Eddie Neese

OWNER'S ADDRESS: 12661 Metro Parkway

OWNER'S ADDRESS: Fort Myers, Fl 33912-

OWNER'S TELEPHONE #: (239) 768-0077

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.

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
CL-50 DIP WATER MAIN	10"	187.0	LF	\$50.53	\$9,449.11
TAPPING SLEEVE W/VALVE	8" x 8"	1.0	EA	\$7,072.50	\$7,072.50
FIRE HYDRANT ASSEMBLY		1.0	EA	\$5,712.05	\$5,712.05
SINGLE WATER SERVICE/COMPLETE	1.5"	2.0	EA	\$1,759.50	\$3,519.00
TOTAL					\$25,752.66

(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]
(Signature of Certifying Agent)

Brenda K. Merchant, Authorized Agent
(Name & Title of Certifying Agent)

Haleakala Construction, Inc
(Name of Firm or Corporation)

5758 Taylor Road,
(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 21 st day of February, 2007 by Brenda K. Merchant who is personally known to me - _____, and who did not take an oath.

Linda Mahon
Notary Public Signature

LINDA MAHON
Printed Name of Notary Public

DD628677
Notary Commission Number

(NOTARY SEAL)

