

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20070483-UTL

1. ACTION REQUESTED/PURPOSE:

Developer Contributed Asset: Approve final acceptance, as a donation of 15 water services, to provide potable water service to *Wal-Mart Plaza, Phases 2B, C, D and E*, a commercial development. This is a Developer contributed asset project located on the east side of Many Road approximately 1/8 mile south of Pine Island 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

CIDE

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:

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.

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 will be provided by North Fort Myers Utilities.

No funds required.

SECTION 03 TOWNSHIP 44S RANGE 24E DISTRICT # 4 COMMISSIONER HALL

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. Osterhout</i> Date: 3/29	<i>S. Covert</i> Date: 4/2/07	<i>RK</i> 4/3	<i>MR</i> 4/3/07	<i>LV</i> 4/3/07	<i>Meurer</i> 4/3/07	<i>J. Lavender</i> Date: 3.30.07

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
 COUNTY ADMIN: *RK*
 4/2
 4:30pm.
 COUNTY ADMIN
 FORWARDED TO: *PA*
 4-2-07
 1:13pm

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

RESOLUTION NO.

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

WHEREAS, it is the desire of "AUBURN REALTY LLC", owner of record, to make a contribution to Lee County Utilities of water facilities (water service), serving "WAL-MART PLAZA, PHASE 2B, C D AND E"; 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 \$21,250.00 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 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 20070483-UTL

COPY

LETTER OF COMPLETION

DATE: 3/19/2007

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

Gentlemen:

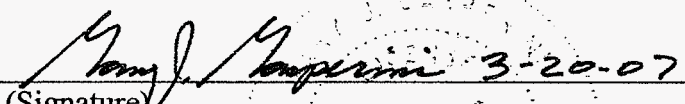
This is to certify that the **water service(s)** located
Wal-Mart Plaza, Phase 2B, C, D, & E
(Name of Development/Project)

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

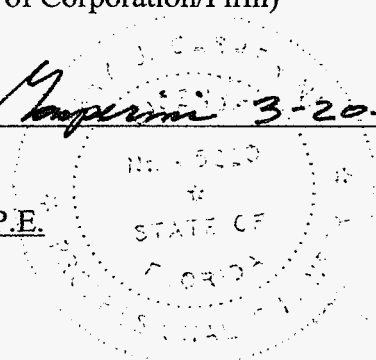
Upon completion of the work, we observed the following successful tests of the facilities: *N/A*

Very truly yours,

Q. Grady Minor & Associates, P.A.
(Owner or Name of Corporation/Firm)


(Signature) 3-20-07

Gary Gasperini, P.E.
(Name and Title)

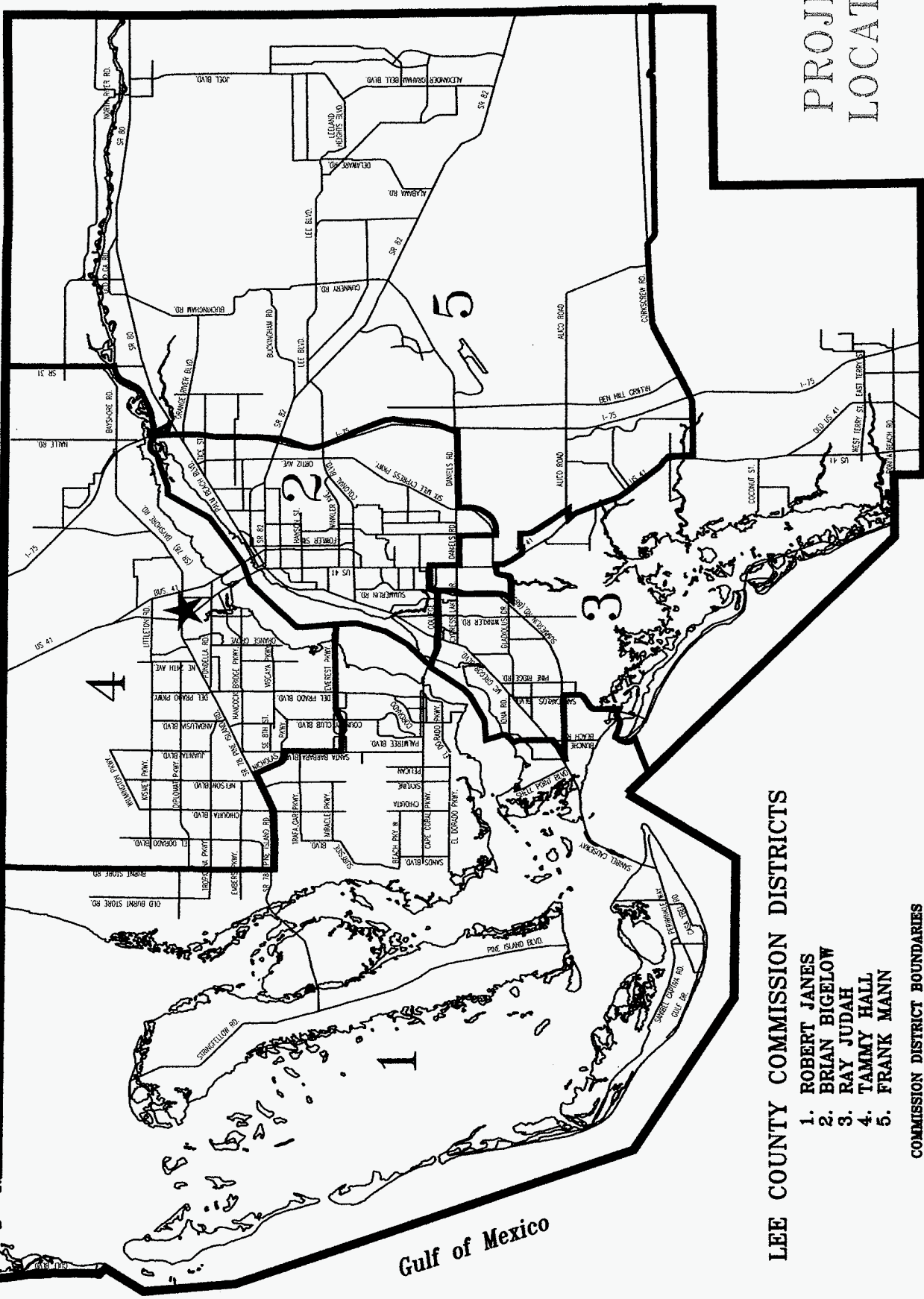
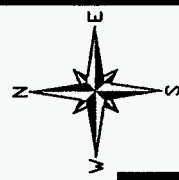


(Seal of Engineering Firm)

COPY

PROJECT
LOCATION

WAL-MART PAHSE 2B, C, D & E
03-44-24-02-00000.0130
COMMISSION DISTRICT # 4 - TAMMY HALL



LEE COUNTY COMMISSION DISTRICTS

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

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water system of WALMART PLAZA PHASE 2B, C, D & E 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.

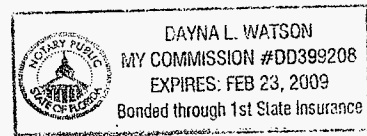
BCU
(Contractor/Company Name)
DOUG REESE/MANAGER
(Authorized Representative, Title)
BY: [Signature]
(Signature)

STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 6th day of March, 2007 by DOUG REESE who is personally known to me - _____, and who did not take an oath.

[Signature]
Notary Public Signature

Dayna L. Watson
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
TWENTY ONE THOUSAND TWO HUNDRED FIFTY DOLLARS(\$21,250.00) hereby waives and
releases its lien and right to claim a lien for labor, services, or materials furnished to LEE COUNTY on
the job of WALMART PLAZA PHASE 2B, C, D & E to the following described property:

WALMART PLAZA PHASE 2B, C, D & E
(Name of Development/Project)

Water Service(s)
(Facilities Constructed)

525 & 535 PINE ISLAND RD, NORTH FT. MYERS, FL 33903
(Location)

03-44-24-02-00000.0130
(Strap # or Section, Township & Range)

Dated on: March 6, 2007

By: Doug Reese
(Signature of Authorized Representative)

BCU
(Name of Firm or Corporation)

By: DOUG REESE
(Print Name of Authorized Representative)

3551 METRO PKWY
(Address of Firm or Corporation)

Title: MANAGER

FT. MYERS, FL 33916-
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)482-4826 Ext.

Fax#: (239)482-8177

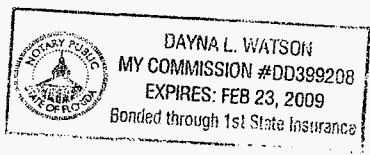
STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 6th day of March, 2007 by
DOUG REESE who is personally known to me - _____, and who did not take an oath.

Dayna L. Watson
(Notary Public Signature)

(Notary Seal & Commission Number)

Dayna L. Watson
(Printed Name of Notary Public)



CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: WALMART PLAZA PHASE 2B, C, D & E

STRAP NUMBER: 03-44-24-02-00000.0130

LOCATION: 525 & 535 PINE ISLAND RD, NORTH FT. MYERS, FL 33903

OWNER'S NAME: (as shown on Deed) AUBURN REALTY LLC

OWNER'S ADDRESS: 2220 N MERIDIAN

OWNER'S ADDRESS: INDIANAPOLIS, IN 46208-

OWNER'S TELEPHONE #: () 239-498-1130

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
SINGLE WATER SERVICE/COMPLETE	1"	13.0	EA	\$1,250.00	\$16,250.00
DOUBLE WATER SERVICE/COMPLETE	1"	1.0	EA	\$2,500.00	\$2,500.00
TAPPING SLEEVE W/VALVE	10" x 2"	1.0	EA	\$2,500.00	\$2,500.00
TOTAL					\$21,250.00

(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 Doug Reese
(Signature of Certifying Agent)

DOUG REESE/MANAGER
(Name & Title of Certifying Agent)

BCU
(Name of Firm or Corporation)

3551 METRO PKWY
(Address of Firm or Corporation)

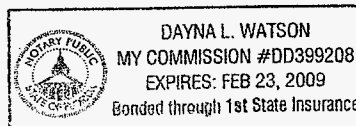
FT. MYERS, FL 33916 -

STATE OF FL)
) SS:
COUNTY OF LEE)

The foregoing instrument was signed and acknowledged before me this 6th day of March, 2007 by DOUG REESE who is personally known to me - _____, and who did not take an oath.

Dayna L. Watson
Notary Public Signature

Dayna L. Watson
Printed Name of Notary Public



Notary Commission Number

(NOTARY SEAL)