# 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	y: 10 - Utilities	OF	6. Meeting Date:	APR 2 4 2007		
7. Agenda:	8. Requirement/Purpose	e: <i>(specify)</i>	9. Request Initiated:			
X Consent	Statute		Commissioner			
Administrative	Ordinance		Department	Public Works		
Appeals	Admin. Code		Division 17	Utilities		
Public	X Other	Approval	By: Logasty	en 3-29-2007		
Walk-On			Douglas L. Meure	r, 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.

SECTIO	N 35 TO	WNSHIP	46S RA	NGE 25E	DISTI	RICT #	3	COM	MISSIONE	R JUDAH
11. Review for Scheduling:										
Department Director	Purchasing or Contracts	Human Res.	Other	County Attorney		Budg	et Ser	vices		County Manager/P.W. Director
Samuels	N/A	N/A	T. Osterhout	S. Coovert	Analyst	Risk	G	ants	Mgr.,	Thurste
Date: 3.30.07	Date:	Date:	Date: 3/29	Date: 4/2/07	RECEIV COUNTY	HINANIN:	zk e	301	J. S.	Date: 30 27
12. Commission Action:										
	Approve	d				1:30			Rec. by CoAt	ty
	Deferred				COUNTY	ADMIN RDED TO:	RI		)ate: 20	7
	Denied				4	13/07	<u> </u>	-	ime:	
	Other					1:13/21	m	rice de la constante de la con	1,172 <sup>6</sup> ,	
								ľ	agumin	

#### RESOLUTION NO.

# RESOLUTION ESTABLISHING UTILITY ACCEPTANCE OF <u>DEVELOPER CONTRIBUTED ASSETS</u> 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 of moved for its adoption. The motion	ffered by Commissioner	who
and, upon beir	ng 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	
ATTEST: CHARLIE GREEN, CLERK	BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA	
By:	By:	<del></del>

APPROVED AS TO FORM

OFFICE OF COUNTY ATTORNEY

**BS 20070484-UTL** 



### 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

Shops at Estero Town Commons

located in

(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)

(Signature)

**Project Engineer** 

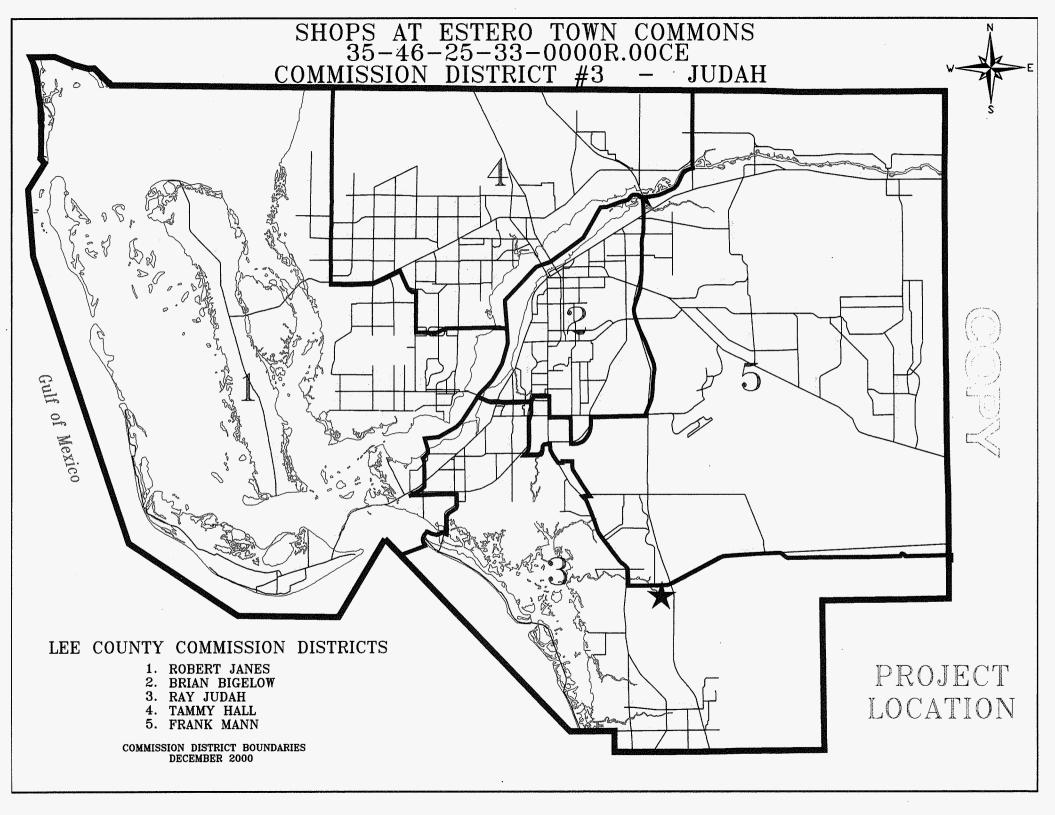
(Title)

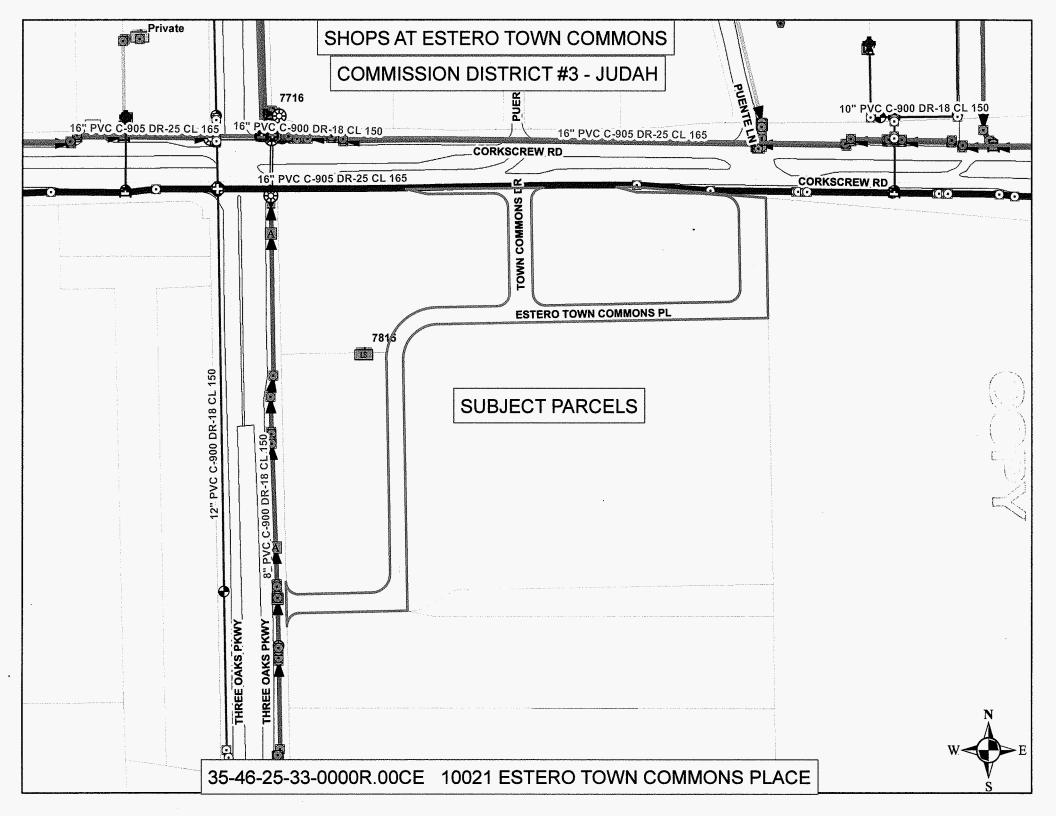
(Seal of Engineering Firm)



I:\Projects\808\80840\Utilities\Shops Only\Certs\06 - Letter of Completion - form R1.doc









# WARRANTY

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

STATE OF \_\_\_\_\_\_)
SS:
COUNTY OF CHARLOTTE

The foregoing instrument was signed and acknowledged before me this <u>23 rd</u> day of <u>FEB</u>, 20<u>07</u> by <u>Penny A. Sappah</u> who is personally known to me - \_\_\_\_\_, and who did not take an oath.

Notary Public Signature

Printed Name of Notary Public

ANDREA MCLAUGHLIN
MY COMMISSION # DD 280605
EXPIRES: January 12, 2008
Bonded Thru Notary Public Underwriters

(Notary Seal & Commission Number)







Date: November 21, 2006

FOR: Diamond Underground

JOB: Lowes

### TEN YEAR UNLIMITED WARRANTY

Our delixe preparation system for application of IET allows UB TO OFFER YOU A TEN YEAR UNLIMITED WARRANTY FOR ALL. Workmanship.

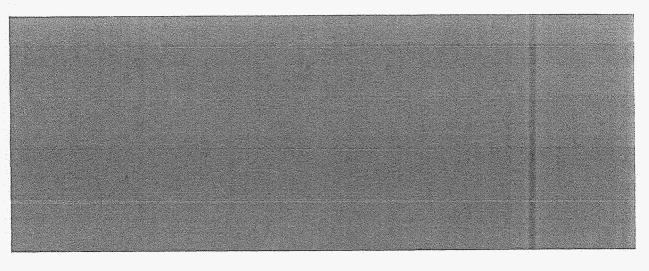
Any type of applicator error will be fixed prompily within 72 House of Being Notified.

Carl A. Laquidara President

Jeffrey A. Yingling

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







# WAIVER AND RELEASE OF LIEN UPON FINAL PAYMENT

The undersigned lienor, in consideration of the final payment in the amount of Four Hundred Thirty-five Thousand Seven Hundred Fifteen and 71/100(\$435,715.71) hereby waivers and releases its lien and right to claim a lien for labor, services, or materials furnished to EHC, Inc. on the job of KRG/CCA Estero, LLC - Shops at Estero Town Commons to the following described property:

Shops at Estero Town Commons	Water Distribution System and Sanitary Sewer System
(Name of Development/Project)	(Facilities Constructed)
10021 Estero Town Commons Place, Estero (Location)	35-46-25-33-0000R.00CE (Strap # or Section, Township & Range)
Dated on: March 22, 2007  By: January Saparh	Diamond Underground
(Signature of Authorized Representative)	(Name of Firm or Corporation)
By: Penny A. Sappah (Print Name of Authorized Representative)	30108 Cedar Rd (Address of Firm or Corporation)
Title: Vice President	Punta Gorda, FL 33982-
	(City, State & Zip Of Firm Or Corporation)
Phone #: (941)639-5252 Ext.	Fax#: (941)639-0233
STATE OFFL) SS: COUNTY OF CHARLOTTE)	
The foregoing instrument was signed and ackno Penny A. Sappah who is personally known to a	wledged before me this <u>22 nd</u> day of <u>March</u> , 20 <u>07</u> by me - <u></u> , and who did not take an oath.
<u></u>	Indiea M Laughlen Notary Public Signature)
	ndrea McLaughlin rinted Name of Notary Public)
	ANDREA MCLAUGHUN MY COMMISSION # DD 280605 EXPIRES: January 12, 2008 Bonded Thru Notary Public Underwriters





# **CERTIFICATION OF CONTRIBUTORY ASSETS**

PROJECT NAME:	Shops at Estero Town Commons
STRAP NUMBER:	35-46-25-33-0000R.00CE
LOCATION:	10021 Estero Town Commons Place, Estero
OWNER'S NAME: (as show	n on Deed) KRG/CCA Estero LLC
OWNER'S ADDRESS:	30 S. Meridian Street, Suite 1100
OWNER'S ADDRESS:	Indianaplois, IN 46204-
OWNER'S TELEPHONE #	e: (317) 577-5600

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	12"	2,023.0	LF	\$41.75	\$84,460.25
CL-50 DIP WATER MAIN	8"	15.0	LF	\$33.50	\$502.50
HDPE SDR-11 WATER MAIN	12"	200.0	LF	\$44.40	\$8,880.00
HDPE SDR-11 CASING	20"	180.0	LF	\$230.00	\$41,400.00
FIRE LINE UP TO AND INCL 1ST OS + Y VALVE	6"	2.0	EA	\$5,115.00	\$10,230.00
FIRE HYDRANT ASSEMBLY		6.0	EA	\$2,925.00	\$17,550.00
TAPPING SLEEVE W/VALVE	12" x 12"	1.0	EA	\$8,200.00	\$8,200.00
TAPPING SLEEVE W/VALVE	16" x 12"	1.0	EA	\$8,300.00	\$8,300.00
GATE VALVE	12"	10.0	EA	\$1,850.00	\$18,500.00
GATE VALVE	8"	1.0	EA	\$975.00	\$975.00
DOUBLE WATER SERVICE/COMPLETE	2"	8.0	EA	\$1,075.00	\$8,600.00
SINGLE WATER SERVICE/COMPLETE	5/8"	1.0	EA	\$451.75	\$451.75
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TOTAL					\$208,049.50

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



LEE COUNTY Contractor's Certification of Contributory Assets – Form (July2006)

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 Jenny & Sassal
	(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 OFFL)	
) SS: COUNTY OF CHARLOTTE)	
)	
• •	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.
In An a Water able	1. 2
Micheal 1) Langue	
Notary Public Signature	ANDREA MCLAUGHLIN MY COMMISSION # DD 280605
Andrea McLaughlin	EXPIRES: January 12, 2008 Bonded Thru Notary Public Underwriters
Printed Name of Notary Public	Sometime rocky and ordering
Notary Commission Number	(NOTARY SEAL)
Tiolary Commission runner	(HOTELL OFFICE)







## **CERTIFICATION OF CONTRIBUTORY ASSETS**

PROJECT NAME:	Shops at Estero Town Commons
STRAP NUMBER:	35-46-25-33-0000R.00CE
LOCATION:	10021 Estero Town Commons Place, Estero
OWNER'S NAME: (as shown	n on Deed) KRG/CCA Estero LLC
	·
OWNER'S ADDRESS:	30 S. Meridian Street, Suite 1100
OWNER'S ADDRESS:	Indianaplois, IN 46204-
OWNER'S TELEPHONE #	: (317) 577-5600

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.

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
PVC SDR-26 GRAVITY MAIN	8"	1,741.0	LF	\$29.25	\$50,924.25
MANHOLE	4'	9.0	EA	\$4,694.44	\$42,249.96
MANHOLE	6'	1.0	EA	\$5,625.00	\$5,625.00
SINGLE SEWER SERVICE W/CLEANOUT	6"	2.0	EA	\$475.00	\$950.00
PVC C-900 DR-18 FORCE MAIN	4"	252.0	LF	\$21.00	\$5,292.00
TAPPING SLEEVE W/VALVE	8" x 4"	1.0	EA	\$3,000.00	\$3,000.00
LIFT STATION		1.0	LS	\$119,625.00	\$119,625.00
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TOTAL					\$227,666.21

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



LEE COUNTY
SOUTHWEST FLORIDA Contractor's Certification of Contributory Assets – Form (July2006)

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 Jenn A Sarah
	(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 <u>FL</u> ) SS:	
COUNTY OF <u>CHARLOTTE</u> )	
	cknowledged before me this 22 nd day of March, 2007 by
Penny A. Sappah who is personally I	known to me, and who did not take an oath.
Indica May alle	$\mathcal{U}_{-}$
Notary Public Signature	ANDREA MCLAUGHLIN
Andrea McLaughlin	MY COMMISSION # DD 280605 EXPIRES: January 12, 2008
rinted Name of Notary Public	Bonded Thru Notary Public Underwriters
Notary Commission Number	(NOTARY SEAL)



