

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

Blue Sheet No. 20061603-UTL

1. Action Requested/Purpose:

Developer Contributed Asset: Approve final acceptance, as a donation of a water distribution and gravity collection system, to provide potable water service, fire protection and sanitary sewer service to *Daniels Park*, a recently constructed residential development. This is a Developer Contributed asset project located on the south side of Daniels Parkway approximately 3,000' west of Fiddlesticks Blvd.

2. What Action Accomplishes:

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Operations Manual.

3. Management Recommendation:

Approval.

4. Departmental Category: 10 – Utilities

C101

5. Meeting Date: ----- **JAN 09 2007**

6. Agenda:

- Consent**
- Administrative**
- Appeals**
- Public**
- Walk-On**

7. Requirement/Purpose (specify)

- Statute**
- Ordinance**
- Admin. Code**
- Other** Approval

8. Request Initiated:

Commissioner _____
Department Public Works
Division Utilities
By: Douglas L. Meurer 12-7-2006
Douglas L. Meurer, P.E., Director

9. Background:

The Board granted permission to construct on 04-20-04, Blue Sheet #20040142.
 Satisfactory pressure and bacteriological testing of the water system has been completed.
 Satisfactory pressure testing of the force main has been completed.
 Satisfactory closed circuit television inspection of the gravity collection system has been performed.
 Satisfactory lift station start-ups have been performed. (L/S#3410)
 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 required.

SECTION 21 TOWNSHIP 45S RANGE 25E DISTRICT # 5 COMMISSIONER MANN

10. Review for Scheduling

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager / P.W. Director
					Analyst	Risk	Grants	Mgr.	
<u>J. Lavender</u> Date: 12-8-06	N/A	N/A	<u>T.O.</u> T. Osterhout Date: 12/7	<u>S. Covert</u> S. Covert Date: 12/12/06	<u>elw</u> 12-12-06	<u>12/12/06</u>	<u>12-12-06</u>	<u>12/14/06</u>	<u>J. Lavender</u> Date: 12-8-06

11. Commission Action:

- Approved**
- Deferred**
- Denied**
- Other**

RECEIVED BY COUNTY ADMIN:	<u>EW</u>
Date:	<u>12/12/06</u>
COUNTY ADMIN FORWARDED TO:	<u>12/14 4:00</u> <u>PK</u>

Rec. by CoAtty
Date: <u>12/11/06</u>
Time: <u>1:45pm</u>
Forwarded To: <u>12/12/06</u> <u>1:30pm</u>

RESOLUTION NO.

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

WHEREAS, it is the desire of "M.W. Johnson Construction of FL/Daniels Park Homeowners Assoc", owner of record, to make a contribution to Lee County Utilities of water facilities (water service line, potable water, and fire protection), and sewer facilities (gravity collection system, sanitary sewer service), serving "DANIELS PARK"; 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 **\$368,264.08** 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 _____, 2006.

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 20061603-UTL

COPY

LETTER OF COMPLETION

DATE: 4/20/06

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

Gentlemen:

This is to certify that the **water distribution and sanitary sewer** located in
Daniels Park
(Name of Development)

were designed by Banks Engineering, Inc. 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, Pressure Test(s) – Force Main

TV Inspection, Mandrill – Gravity Main

Lift Station Start-Up

Very truly yours,

Carl A. Barraco, P.E.
(Owner or Name of Corporation)


(Signature) *H-28-06*

President
(Title)

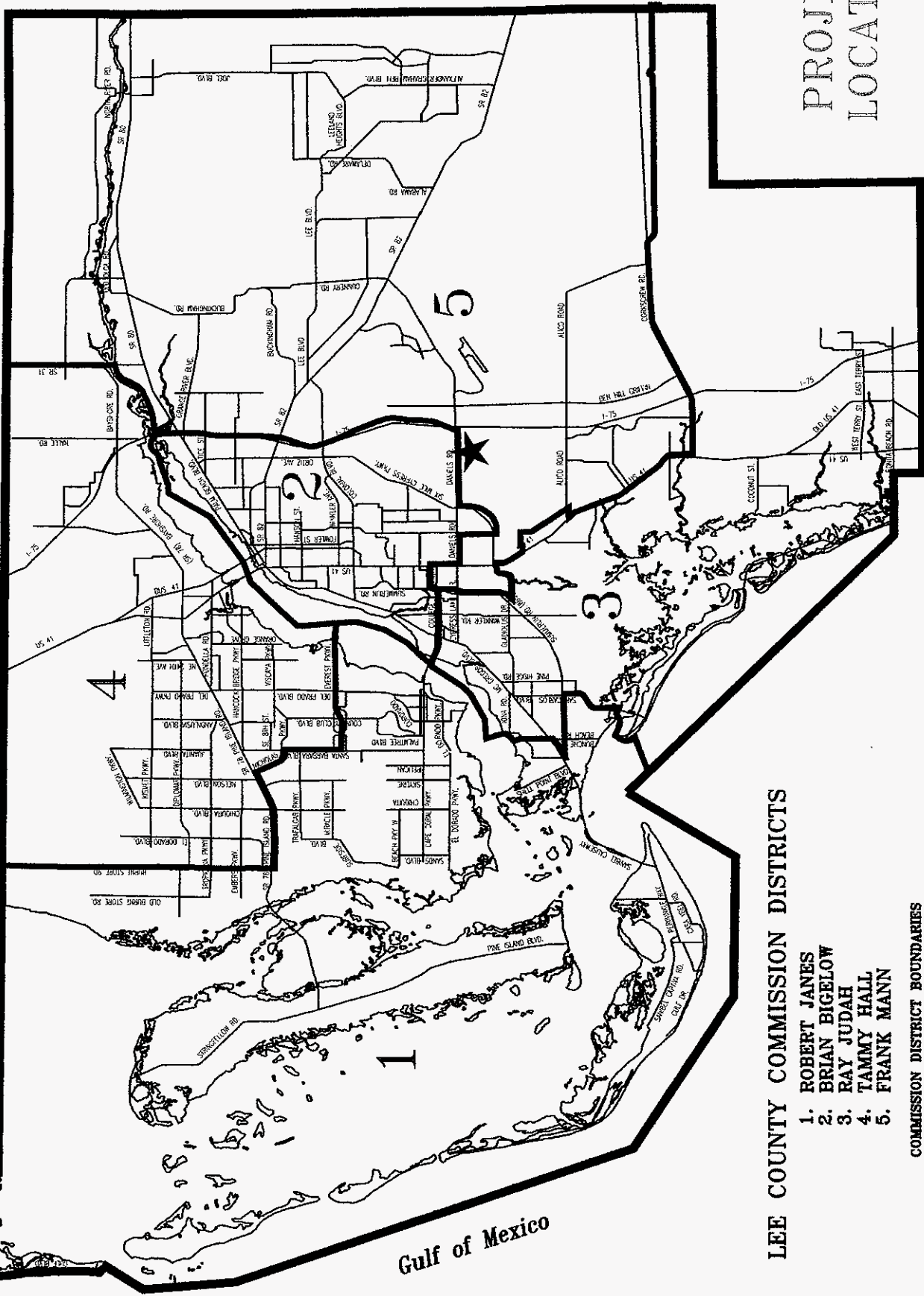
Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
Florida P.E. No. 38536
Florida Cert. of Authorization 7995



COPY

**PROJECT
LOCATION**

**DANIELS PARK
21-45-25-13-0000A.00CE
COMMISSION DISTRICT # 5 - FRANK 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**

Gulf of Mexico

COPY



DANIELS PARK RESIDENTIAL SUBDIVISION

COMMISSION DISTRICT #5 ALBION

DANIELS PKWY DANIELS PK

DANIELS PKWY

DANIELS PKWY

CODY LEE RD

RIVERSIDE CENTER CT

SOPHMORE LN

SOPHMORE LN

SOPHMORE LN

POND

SWAMP

SUBJECT PARCELS

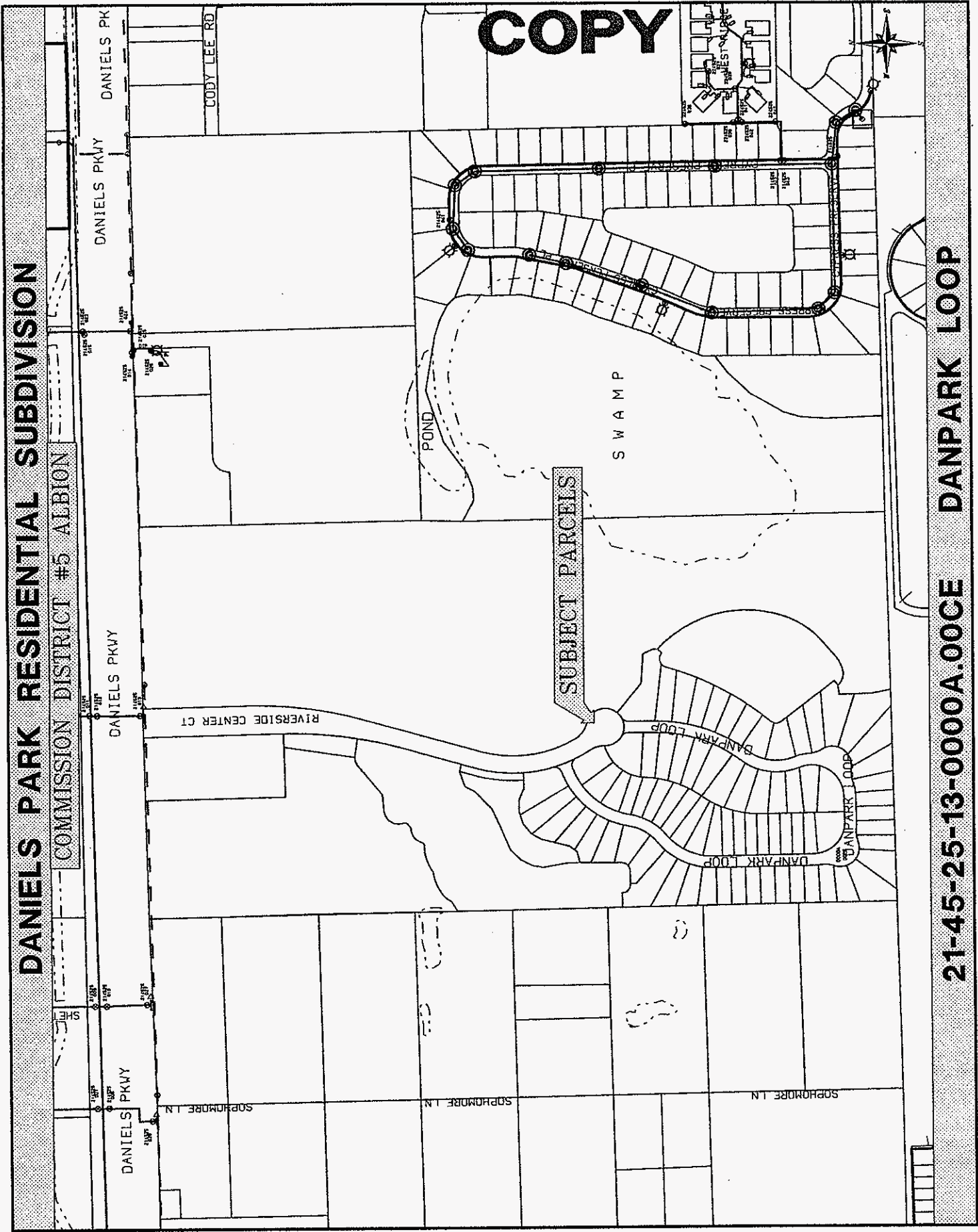
DANPARK LOOP

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21-45-25-13-0000A.00CE



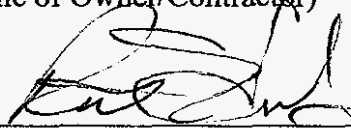
WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer systems of Daniels Park 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.

Robert Hoadley, Mitchell & Stark Construction
Co.

(Name of Owner/Contractor)

BY: 

(Signature of Owner/Contractor)

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 27th day of APR, 2006 by Robert Hoadley 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 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 Three Hundred Sixty Eight Thousand Two Hundred Sixty-Four Dollars and 08/100—(\$368,264.08) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to M.W. Johnson Construction on the job of Daniels Park to the following described property:

<u>Daniels Park</u> (Name of Development/Project)	<u>water distribution and sanitary sewer systems</u> (Facilities Constructed)
<u>Riverside Center Court, Lee County</u> (Location) (Please provide full name and location of development and a description of the utility system constructed).	<u>21-45-25-13-0000A.00CE</u> (Strap # or Section, Township & Range)

Dated on: April 27, 2006

By: <u></u> (Signature of Authorized Representative)	<u>Mitchell & Stark Construction Company, Inc.</u> (Name of Firm or Corporation)
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By: <u>Robert Hoadley</u> (Print Name of Authorized Representative)	<u>6001 Shirley Street</u> (Address of Firm or Corporation)
--	--

<u>Title: Project Manager</u>	<u>Naples, FL 34109-</u> (City, State & Zip Of Firm Or Corporation)
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<u>Phone #: (239)597-2165 Ext.28</u>	<u>Fax#: (239)566-7865</u>
--------------------------------------	----------------------------

STATE OF FL)
) SS:
COUNTY OF Collier)

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


(Notary Public Signature)

(Notary Seal & Commission Number)

Belinda Burgbacher
(Printed Name of Notary Public)

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)

Robert Hoadley, Project Manager
(Name & Title of Certifying Agent)

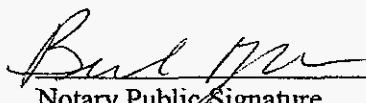
Mitchell & Stark Construction Company, Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(Address of Firm or Corporation)

Naples, FL 34109 -

STATE OF FL)
) SS:
COUNTY OF Collier)

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(NOTARY SEAL)

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X [Signature]
(Signature of Certifying Agent)

Robert Hoadley, Project Manager
(Name & Title of Certifying Agent)

Mitchell & Stark Construction Company, Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(Address of Firm or Corporation)

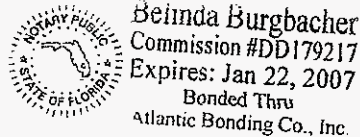
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[Signature]
Notary Public Signature

Belinda Burgbacher
Printed Name of Notary Public



Notary Commission Number

(NOTARY SEAL)