

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20041107 -UTL

1. REQUESTED MOTION:

ACTION REQUESTED:

Approve final acceptance, by Resolution, as a donation of water distribution and gravity collection systems serving CYPRESS MARSH, PHASE II AT VERANDAH. This is a Developer Contributed asset project located on the south side of State Road 80, approximately 1/2 mile east of State Road 31.

WHY ACTION IS NECESSARY:

To provide potable water service, fire protection and sanitary sewer service to this phase of the residential development.

WHAT ACTION ACCOMPLISHES:

Places the water and sewer systems into operation and complies with the Lee County Utilities Operations Manual.

2. DEPARTMENTAL CATEGORY: 10
COMMISSION DISTRICT #: 5

CIOG

3. MEETING DATE:

09-14-2004

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 Dirz, P.E., Utilities Director

DATE: 8/26/04

7. BACKGROUND:

The Board granted permission to construct on 02/17/04, Blue Sheet #20040111. The installation has been inspected for conformance to the Lee County Utilities Operations Manual. Satisfactory pressure and bacteriological testing of the water system has been completed. Satisfactory closed circuit television inspection of the gravity collection system has been performed. Record Drawings have been provided. 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 Contributory Assets has been provided---copy attached. 100% of the connection fees have been paid.

No Funds Required.

SECTION 31 TOWNSHIP 43S RANGE 26E 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. Avender</i> Date: 8/27/04	N/A Date:	N/A Date:	P.O. T. Osterhout Date: 8/26	S. Coovert Date: 8/27/04	8/30/04	9/1/04	8/26/04	8/31/04	<i>J. Avender</i> Date: 8/27/04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 8/30/04
Time: 11:20
Forwarded To:
Adm. (4)
11:27 AM
Signature

RECEIVED BY
COUNTY ADMIN: [Signature]
8/30/04
2:00 pm SET
COUNTY ADM.N
FORWARDED TO: [Signature]
9-1-04
1:35 PM

RESOLUTION NO. _____

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

WHEREAS, it is the desire of "Verandah Development, 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 "**CYPRESS MARSH, PHASE II AT VERANDAH**"; 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 **\$52,842.00** 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: 4/5/2004

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

Mr. James P. Ward
District Manager
210 North University Drive, Suite 702
Coral Springs, Florida 33071

Gentlemen:

This is to certify that the water distribution and sanitary sewer located in
Cypress Marsh Phase II at Verandah
(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, Low Pressure Test(s) - Gravity Main and TV Inspection, Mandrill - Gravity Main

Very truly yours,

Allen J. Mank, P.E for Johnson Engineering, Inc.

Fl. Reg. No. 45937

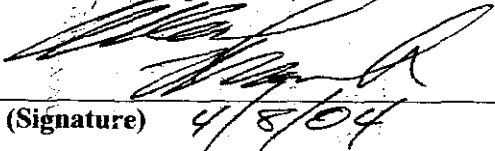
2158 Johnson Street

Fort Myers, Florida 33901

(239) 334-0046 (239) 334-3661

E.B. #642 and L.B. #642

(Name of Corporation)



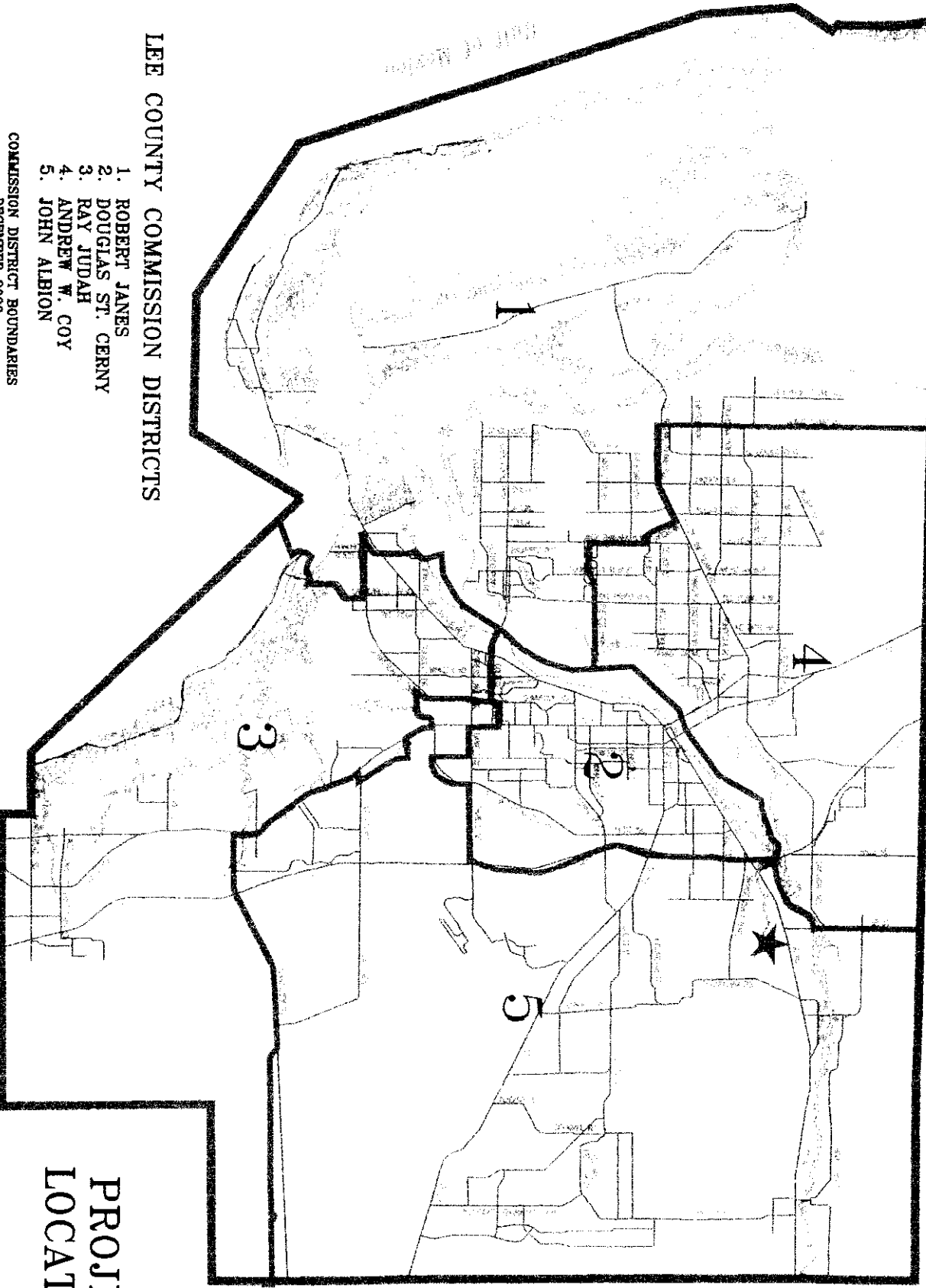
(Signature)

Project Engineer

(Title)



CYPRESS MARSH AT THE VERANDAH
31-43-26-08-000R1.00 CE
COMMISSION DISTRICT #5 - ALBION



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 2000

PROJECT
LOCATION

CYPRESS MARSH AT THE VERANDAH

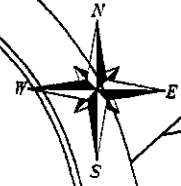
COMMISSION DISTRICT #5 - ALBION

SUBJECT PARCELS

SUBJECT PARCELS

31-43-26-08-000R1.00CE

CYPRESS MARSH DR




7-11-08

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and/or sewer system of (Name of Development): Cypress Marsh Phase 2 at Verandah Utilities 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.


Mitchell & Stark Construction Co. Inc.
(NAME OF OWNER OR CONTRACTOR)

BY: 
(SIGNATURE & TITLE)
Brian Penner, Vice President

STATE OF Florida)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 30 th day of April,
2004 by Brian Penner who has produced P560-076-59-348-O
as identification, and who (did) (did not) take an oath.

(NOTARY SEAL)

 Morris Sons
My Commission DD059332
Expires January 07 2008


Notary Public Signature

Morris Sons
Printed Name of Notary Public
DD059332
Notary Commission Number



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

The undersigned lienor, in consideration of the final payment in the amount of Twenty five thousand three hundred fifty nine dollars and twenty cents (\$ 25,359.20) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Verandah Development LLC (F.K.A. State Road 80 LLC) on the job of Verandah Development LLC (f.k.a. State Road 80 LLC) to the following described property:

Cypress Marsh Phase 2 at Verandah Utilities

water distribution system

(Name of Development/Project)

(Facilities Constructed)

Cypress Marsh drive, Ft. Myers, FL 33905

31-43-26-08-000R1.000 (New Strap)

(Location)

31-43-26-00-00003.0010 (Former strap)

(Please provide full name and location of development and a description of the utility system constructed).

(Strap # or Section, Township & Range)

Dated on: April 30, 2004

By: 

Mitchell & Stark Construction Co., Inc.

(Signature of Authorized Representative)

(Name of Firm or Corporation)

By: Brian Penner, V.P.

6001 Shirley Street

(Print Name of Authorized Representative)

(Address of Firm or Corporation)

Phone #: (239)597-2165 Ext.25

Naples, FL 34109-

Fax#: (239)566-7865

(City, State & Zip Of Firm Or Corporation)

STATE OF FL)

) SS:

COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 30 th day of APR, 2004 by Brian Penner who is personally known to me - _____, and who did not take an oath.



Morris Sons
My Commission DD059332
Expires January 07 2006


(Notary Public Signature)

(Notary Seal & Commission Number)

Morris Sons
(Printed Name of Notary Public)



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

The undersigned lienor, in consideration of the final payment in the amount of Twenty seven thousand four hundred eighty two dollars and eighty cents (\$ 27,482.80) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to Verandah Development LLC (F.K.A. State Road 80 LLC) on the job of Verandah Development LLC (f.k.a. State Road 80 LLC to the following described property:

Cypress Marsh Phase 2 at Verandah Utilities

sanitary sewer system

(Name of Development/Project)

(Facilities Constructed)

Cypress Marsh Drive, Ft. Myers, FL 33905

31-43-26-08-000R1.00CE (New strap)

(Location)

31-43-26-00-00003.0010 (Former strap)

(Please provide full name and location of development and a description of the utility system constructed).

(Strap # or Section, Township & Range)

Dated on: April 30, 2004

By: [Signature]

(Signature of Authorized Representative)

Mitchell & Stark Construction Co., Inc.

(Name of Firm or Corporation)

By: Brian Penner, V.P.

(Print Name of Authorized Representative)

6001 Shirley Street

(Address of Firm or Corporation)

Phone #: (239)597-2165 Ext.25

Naples, FL 34109-

(City, State & Zip Of Firm Or Corporation)

Fax#: (239)566-7865

STATE OF FL)

) SS:

COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 30 th day of APR, 2004 by Brian Penner who is personally known to me - _____, and who did not take an oath.



Morris Sons
My Commission DD059332
Expires January 07 2006

[Signature]
(Notary Public Signature)

(Notary Seal & Commission Number)

Morris Sons
(Printed Name of Notary Public)



CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Cypress Marsh Phase 2 at Verandah Utilities

LOCATION: Cypress Marsh Drive, Ft. Myers, FL 33905

31-43-26-08-000R1.0002 (NEW STRAP)

31-43-26-00-00003.0010 (FORMER STRAP)

(Including STRAP)

NAME AND ADDRESS OF OWNER: Verandah Development LLC (F.K.A., State Road 80 LLC)

9990 Coconut Road, Suite 200, Bonita Springs, FL 34135

(as shown on Deed)

TYPE UTILITY SYSTEM: Water System

(list water, sewer and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

ITEM	SIZE	QUANTITY	UNIT	UNITCOST	TOTAL
See Attached					

TOTAL AMOUNT

(If more space is required, use additional page(s). Number each page and include the name of the project).



CYPRESS MARSH PHASE 2 AT VERANDAH

April 30, 2004

WATER DISTRIBUTION

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
8 INCH PVC WATERMAIN DR 18	1014	LF	\$12.30	\$12,472.20
FIRE HYDRANT	2	EA	\$2,393.00	\$4,786.00
SINGLE WATER SERVICE	9	EA	\$359.00	\$3,231.00
DOUBLE WATER SERVICE	6	EA	\$490.00	\$2,940.00
CONNECT TO EXISTING MAIN	2	EA	\$965.00	\$1,930.00
TOTAL WATER DISTRIBUTION PHASE 4				\$25,359.20



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:

L.D. Neal PROJECT MANAGER
(Name & Title of Certifying Agent)

OF: MITCHELL & STARK CONST. CO. INC.

(Firm or Corporation)

ADDRESS: 6001 Shirley Street
Naples, Florida, 34109

STATE OF Florida)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 30 th day of April, 2004, by L.D. Neal, Project Manager

who is personally known to me, and who (did not) take an oath.

(NOTARY SEAL)



Morris Sons
My Commission DD059332
Expires January 07 2006

Morris Sons
Notary Public Signature

Morris Sons
Printed Name of Notary Public

DD059332
Notary Commission Number



COPIED

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Cypress Marsh Phase 2 at Verandah Utilities

LOCATION: Cypress Marsh Drive, Ft. Myers, FL 33905

31-43-26-08-000R1.0001 (NEW STRAP)
31-43-26-00-00003.0010 (FORMER STRAP)

(Including STRAP)

NAME AND ADDRESS OF OWNER: Verandah Development LLC (F.K.A., State Road 80 LLC)

9990 Coconut Road, Suite 200, Bonita Springs, FL 34135

(as shown on Deed)

TYPE UTILITY SYSTEM: Sewer System

(list water, sewer and effluent reuse separately)

DESCRIPTION AND COST OF MATERIAL, LABOR, AND SERVICES

Please list each element of the system, e.g., pipe, manholes, lift stations, meters, valves, fittings, etc.

ITEM	SIZE	QUANTITY	UNIT	UNITCOST	TOTAL
See Attached					

TOTAL AMOUNT

(If more space is required, use additional page(s). Number each page and include the name of the project).



CYPRESS MARSH PHASE 2 AT VERANDAH

April 30, 2004

SANITARY SEWER

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
SANITARY SEWER				
8 INCH PVC DR 26 SEWER 0-6	313	LF	\$14.21	\$4,447.73
8 INCH PVC DR 26 SEWER 6-8	327	LF	\$18.41	\$6,020.07
4' DIA. MANHOLES 0-6	1	EA	\$3,275.00	\$3,275.00
4' DIA. MANHOLES 6-8	2	EA	\$3,825.00	\$7,650.00
SINGLE SEWER SERVICE	3	EA	\$640.00	\$1,920.00
DOUBLE SEWER SERVICE	6	EA	\$695.00	\$4,170.00
TOTAL SANITARY SEWER CYPRESS MARSH PH 2				\$27,482.80



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: *L.D. Neal* *PROJECT MANAGER*
(Name & Title of Certifying Agent)

OF: MITCHELL & STARK CONST. CO. INC.

(Firm or Corporation)

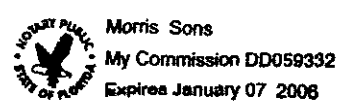
ADDRESS: 6001 Shirley Street
Naples, Florida, 34109

STATE OF Florida)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 30 th day of April, 2004, by L.D. Neal, Project Manager,

who is personally known to me, and who (did not) take an oath.

(NOTARY SEAL)



Morris Sons
Notary Public Signature
Morris Sons
Printed Name of Notary Public
DD059332
Notary Commission Number

