

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

Blue Sheet No. 20061451-UTL

1. Action Requested/Purpose:

Approve final acceptance, by Resolution as a donation of water and gravity main extensions to provide potable water service, fire protection and sanitary sewer service to *Veranda / Commercial Parcel, Phases 1 & 2*, a recently constructed commercial subdivision. 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.

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

CIOB

5. Meeting Date: NOV 28 2006

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 11-13-2006
 Douglas L. Meurer, P.E., Director

9. Background:

The Board granted permission to construct on 10-05-04, Blue Sheet #20041244.
 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 & 36 TOWNSHIP 43S RANGE 25 & 26 E 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: 11-14-06	N/A	N/A	<u>P.O.</u> T. Osterhout Date: 11/9	<u>J. Schickling</u> S. Cooper Date: 11/14/06	<u>elbw</u> 11-15-06	<u>4/15/06</u> <u>6/8</u>	<u>11/15/06</u>	<u>11/15/06</u>	<u>J. Lavender</u> Date: 11-14-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: CM
 11-15-06
 8:53 AM
 COUNTY ADMIN FORWARDED TO: PR
 11-16-06
 3pm

Rec. by CoAtty
 Date: 11/14/06
 Time: 3:40pm
 Forwarded to: 11/15/06 9:00AM

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 (a water distribution system, fire protection), and sewer facilities (a gravity collection system, sanitary sewer service), serving "COMMERCIAL PARCEL AT VERANDAH, PHASE 1 & 2"; 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 \$321,096.14 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 Tammara Hall: _____ (4)
- Commissioner John Albion: _____ (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 20061451-UTL

COPY

LETTER OF COMPLETION

DATE: 6/30/2006

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 and sanitary sewer systems** located in
Commercial Parcel at Verandah, Phase 1
(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:
**Pressure Test(s) - Water Main , Bacteriological Test , Low Pressure Test(s) - Gravity Main ,
TV Inspection, Mandrill - Gravity Main , Pressure Test(s) - Force Main
and Lift Station Start-up**

Very truly yours,

Johnson Engineering, Inc.
(Owner or Name of Corporation/Firm)

(Signature)

Allen J. Mank, P.E.
Project Manager
FL. Lic. No. 45937
(Name and Title)

JOHNSON ENGINEERING, INC.
2158 Johnson Street
P.O. Box 1550
Fort Myers, FL 33902
(239) 334-0048
Fax (239) 334-3661
EB #642 LB #642

(Seal of Engineering Firm)

COPY

LETTER OF COMPLETION

DATE: 12/20/2005

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

Gentlemen:

This is to certify that the **water main extension** located in
Commercial Parcel at Verandah, Phase 2
(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:
Pressure Test(s) - Water Main

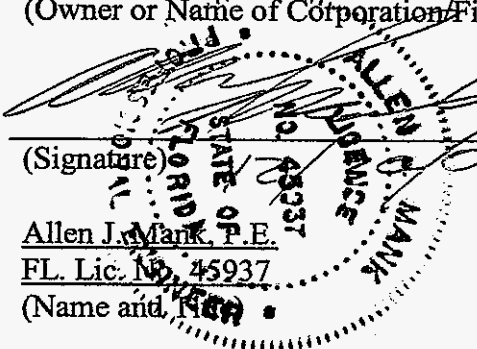
Very truly yours,

Johnson Engineering, Inc.
(Owner or Name of Corporation/Firm)



(Signature)

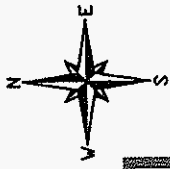
Allen J. Mark, P.E.
FL. Lic. No. 45937
(Name and License No.)



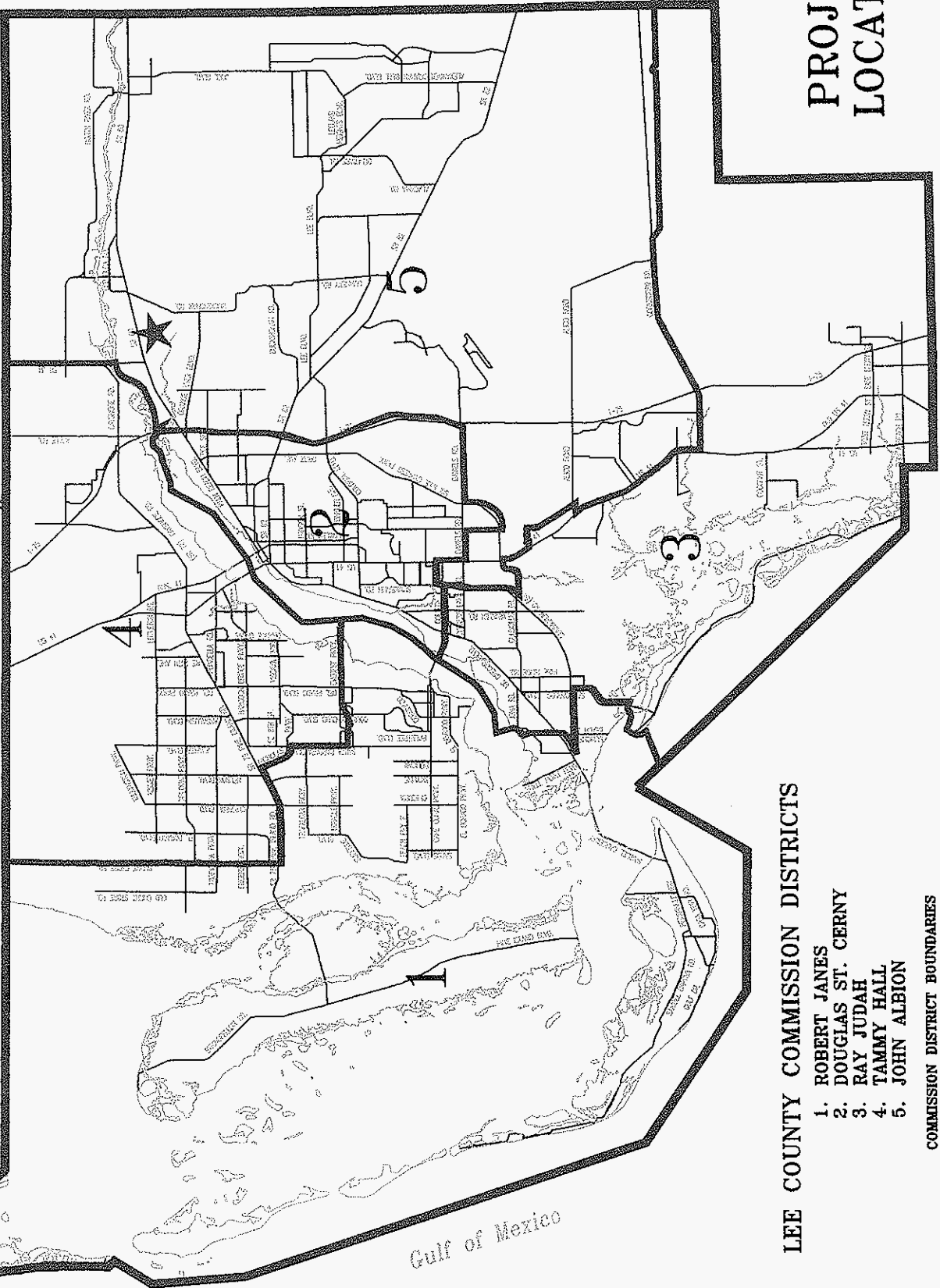
(Seal of Engineering Firm)

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COPY



**COMMERCIAL PARCEL @ VERANDAH, PHASES 1 & 2
MULTIPLE STRAPS - SECTION 31, TOWNSHIP 43, RANGE 26
COMMISSION DISTRICT #5 - ALBION**



**PROJECT
LOCATION**

LEE COUNTY COMMISSION DISTRICTS

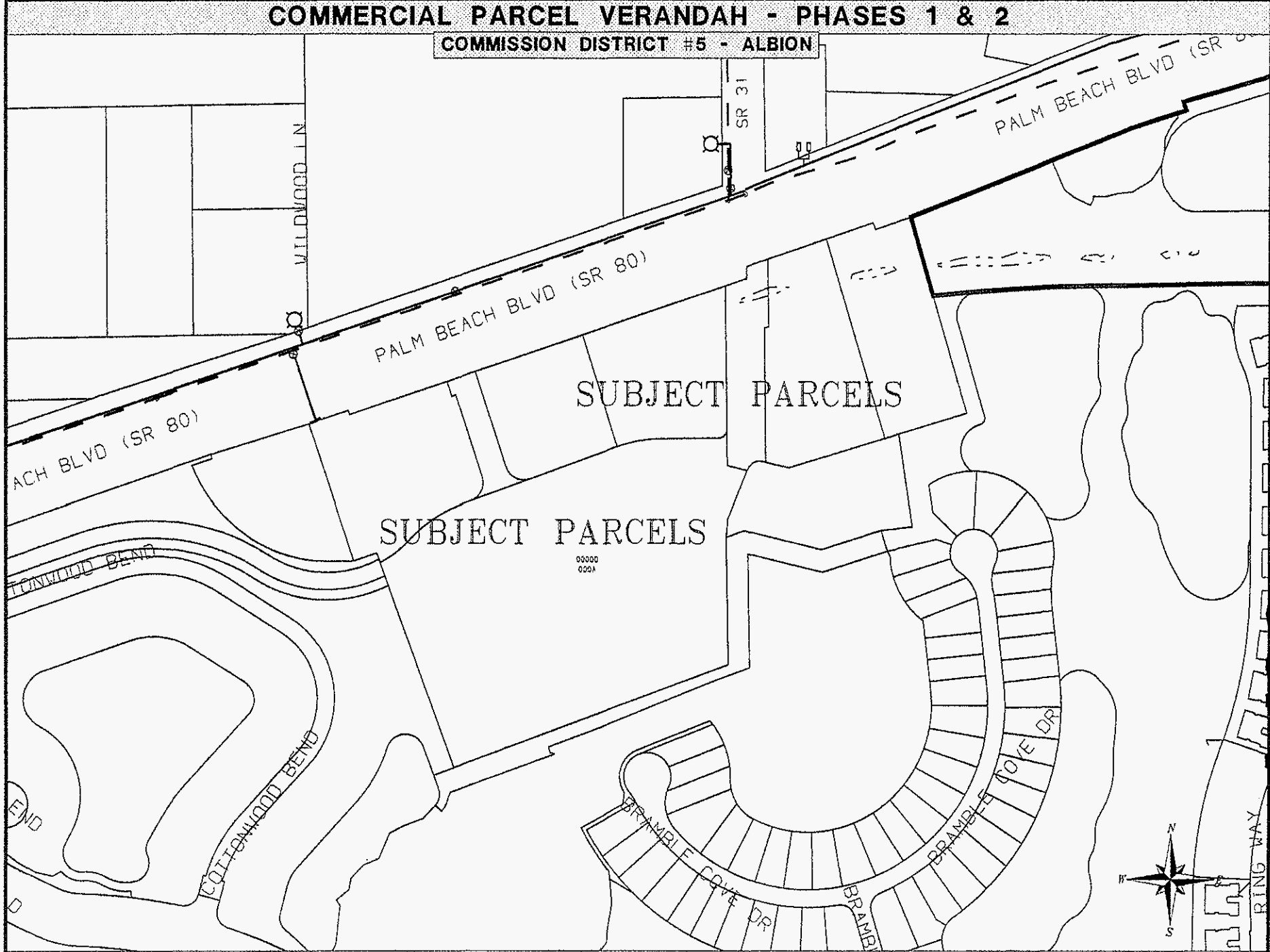
- 1. ROBERT JANES
- 2. DOUGLAS ST. CERNY
- 3. RAY JUDAH
- 4. TAMMY HALL
- 5. JOHN ALBION

COMMISSION DISTRICT BOUNDARIES
DECEMBER 2000

Gulf of Mexico

COMMERCIAL PARCEL VERANDAH - PHASES 1 & 2

COMMISSION DISTRICT #5 - ALBION



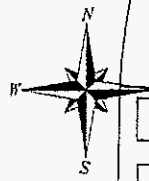
ACH BLVD (SR 80)

PALM BEACH BLVD (SR 80)

SUBJECT PARCELS

SUBJECT PARCELS

05000
0001



MULTIPLE STRAPS SECTION 31 - TOWNSHIP 43 - RANGE 26

COPY

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer of Commercial Parcel at Verandah, Phase 1 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 Const. Co., Inc.

(Contractor/Company Name)

Brian Penner, Vice President

(Authorized Representative, Title)

BY:

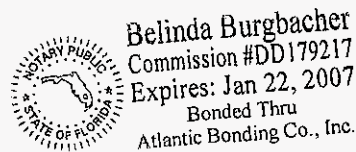
(Signature)

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 30th day of January, 2006 by Brian Penner who is personally known to me - , and who did not take an oath.

Notary Public Signature

Belinda Burgbacher
Printed Name of Notary Public



(Notary Seal & Commission Number)

WARRANTY

THE UNDERSIGNED parties do hereby warrant and/or guaranty all work executed by the contractor on the water and sewer of Commercial Parcel at Verandah, Phase 2 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 Const. Co., Inc.
(Contractor/Company Name)

Brian Penner, Vice President
(Authorized Representative, Title)

BY: [Signature]
(Signature)

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 30th day of January, 2006 by Brian Penner who is personally known to me - , and who did not take an oath.

[Signature]
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

Verandah Commercial Parcel

DOS2003-00211

STRAP Numbers

36-43-25-05-000R2.00CE

36-43-25-05-0000A.0000

31-43-26-05-0000B.0000

31-43-26-05-0000C.0000

31-43-26-05-0000D.0000

31-43-26-04-00LS1.00CE

36-43-25-05-000R1.00CE

36-43-25-06-000R1.00CE

36-43-25-06-00LS2.00CE

36-43-25-06.0000A.0000

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COPY

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

The undersigned lienor, in consideration of the final payment in the amount of Thirty two thousand seven hundred fifty one dollars and zero cents (\$32,751.00) 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 Commercial Parcel at Verandah, Phase 2 to the following described property:

Commercial Parcel at Verandah, Phase 2
(Name of Development/Project)

water distribution and sanitary sewer systems
(Facilities Constructed)

Cottonwood Bend, Ft. Myers, FL 33905

36-43-25-06-000R2.00CE

(Location)

(Strap # or Section, Township & Range)

Dated on: January 30, 2006

By: [Signature]
(Signature of Authorized Representative)

Mitchell & Stark Const. Co., Inc.
(Name of Firm or Corporation)

By: Brian Penner
(Print Name of Authorized Representative)

6001 Shirley Street
(Address of Firm or Corporation)

Title: Vice President

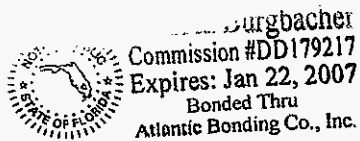
Naples, FL 34109-
(City, State & Zip Of Firm Or Corporation)

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

Fax#: (236)566-7865

STATE OF FL)
) SS:
COUNTY OF Collier)

The foregoing instrument was signed and acknowledged before me this 30 th day of January, 2006 by Brian Penner who is personally known to me - _____, and who did not take an oath.



(Notary Seal & Commission Number)

[Signature]
(Notary Public Signature)

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]
(Signature of Certifying Agent)

L.D. Neal, Project Manager
(Name & Title of Certifying Agent)

Mitchell & Stark Const. Co., Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(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 30 th day of January, 2006 by L.D. Neal, Project Manager who is personally known to me - _____, and who did not take an oath.

[Signature]
Notary Public Signature

Belinda Burgbacher
Printed Name of Notary Public

Notary Commission Number

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

(NOTARY SEAL)



COPY

Verandah Commercial Parcel

DOS2003-00211

STRAP Numbers

36-43-25-05-000R2.00CE

36-43-25-05-0000A.0000

31-43-26-05-0000B.0000

31-43-26-05-0000C.0000

31-43-26-05-0000D.0000

31-43-26-04-00LS1.00CE

36-43-25-05-000R1.00CE

36-43-25-06-000R1.00CE

36-43-25-06-00LS2.00CE

36-43-25-06.0000A.0000

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CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Commercial Parcel at Verandah, Phase 1

STRAP NUMBER: 36-43-25-05-0000A.0000

LOCATION: 11821-61 Palm Beach Blvd., Ft. Myers, FL 33905

OWNER'S NAME: Verandah Development LLC (F.K.A., State Road 80 LLC)

OWNER'S ADDRESS: 9990 Coconut Road, Suite 200

OWNER'S ADDRESS: Bonita Springs,FL 34135-

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.

<u>ITEM</u>	<u>SIZE</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
PVC SDR-26 GRAVITY MAIN	8"	412.0	LF	\$24.00	\$9,888.00
PVC SDR-26 GRAVITY MAIN	10"	116.0	EA	\$51.33	\$5,954.28
MANHOLE	4'	3.0	EA	\$4,400.00	\$13,200.00
MANHOLE	6'	2.0	EA	\$9,954.00	\$19,908.00
LIFT STATION	6'	1.0	EA	\$100,000.00	\$100,000.00
SINGLE SEWER SERVICE W/CLEANOUT	6"	3.0	EA	\$708.90	\$2,126.70
TAPPING SLEEVE W/VALVE	4"x24"	1.0	EA	\$3,500.00	\$3,500.00
PVC C-900 DR-18	4"	328.0	LF	\$14.89	\$4,883.92
PVC C-900 DR-14	4"	146.0	LF	\$15.94	\$2,327.24
HDPE SDR-11	4"	164.0	LF	\$24.00	\$3,936.00
HDPE SDR-11 CASING	10"	164.0	LF	\$116.00	\$19,024.00
<u>TOTAL</u>					\$184,748.14

(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)

L.D. Neal, Project Manager
(Name & Title of Certifying Agent)

Mitchell & Stark Const. Co., Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(Address of Firm or Corporation)

Naples, FL 34109 -

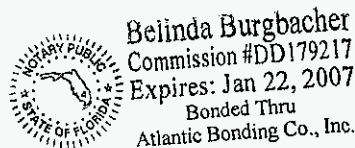
STATE OF FL)
) SS:
COUNTY OF Collier)

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[Signature]
Notary Public Signature

Belinda Burgbacher
Printed Name of Notary Public

Notary Commission Number



(NOTARY SEAL)

COPY

Verandah Commercial Parcel

DOS2003-00211

STRAP Numbers

36-43-25-05-000R2.00CE

36-43-25-05-0000A.0000

31-43-26-05-0000B.0000

31-43-26-05-0000C.0000

31-43-26-05-0000D.0000

31-43-26-04-00LS1.00CE

36-43-25-05-000R1.00CE

36-43-25-06-000R1.00CE

36-43-25-06-00LS2.00CE

36-43-25-06.0000A.0000

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CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Commercial Parcel at Verandah, Phase 2

STRAP NUMBER: 36-43-25-06-000R2.00CE

LOCATION: Cottonwood Bend, Ft. Myers, FL 33905

OWNER'S NAME: Verandah Development LLC (F.K.A., State Road 80 LLC)

OWNER'S ADDRESS: 9990 Coconut Road, Suite 200

OWNER'S ADDRESS: Bonita Springs, FL 34135-

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

ITEM	SIZE	QUANTITY	UNIT	UNIT COST	TOTAL
PVC C-900 DR-18	12"	765.0	LF	\$27.00	\$20,655.00
CL-50 DIP	12"	40.0	LF	\$31.00	\$1,240.00
GATE VALVE	12"	1.0	EA	\$1,520.00	\$1,520.00
STEEL CASING	24"	32.0	LF	\$122.00	\$3,904.00
TOTAL					\$27,319.00

Please list each element of the system from the drop-down list provided.
 (If more space is required, use additional forms(s).)

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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)

L.D. Neal, Project Manager

(Name & Title of Certifying Agent)

Mitchell & Stark Const. Co., Inc.

(Name of Firm or Corporation)

6001 Shirley Street

(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 30th day of January, 2006 by L.D. Neal, Project Manager 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 Commission Number

(NOTARY SEAL)



LEE COUNTY
SOUTHWEST FLORIDA
Contractor's Certification of Contributory Assets - Form (January 2004)

CERTIFICATION OF CONTRIBUTORY ASSETS

PROJECT NAME: Commercial Parcel at Verandah, Phase 2

STRAP NUMBER: 36-43-25-06-000R2.00CE

LOCATION: Cottonwood Bend, Ft. Myers, FL 33905

OWNER'S NAME: (as shown on Deed) Verandah Development LLC (F.K.A., State Road 80 LLC)

OWNER'S ADDRESS: 9990 Coconut Road, Suite 200

OWNER'S ADDRESS: Bonita Springs, FL 34135-

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"	8.0	LF	\$24.00	\$192.00
PVC SDR-26 GRAVITY MAIN (REMOVED)	8"	56.0	LF	\$15.00	\$840.00
MANHOLE (RELOCATED)	4'	1.0	EA	\$4,400.00	\$4,400.00
TOTAL					\$5,432.00

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



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COPY

11.5

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)

L.D. Neal, Project Manager
(Name & Title of Certifying Agent)

Mitchell & Stark Const. Co., Inc.
(Name of Firm or Corporation)

6001 Shirley Street
(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 30 th day of January, 2006 by L.D. Neal, Project Manager who is personally known to me - _____, and who did not take an oath.

Belinda Burgbacher
Notary Public Signature

Belinda Burgbacher
Printed Name of Notary Public



Belinda Burgbacher
Commission #DD179217
Expires: Jan 22, 2007
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Atlantic Bonding Co., Inc.

Notary Commission Number

(NOTARY SEAL)

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