

trailers parked and stationary for a period of time during the night or early morning hours in a parking lot that is identified as part of a Goldring Gulf licensed branch warehouse premises will meet the come-to-rest requirement of Section 561.5101, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399.

Please refer all comments to: Michael Ross, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Louis Gagliardi on or before June 1, 2010. The petition seeks the agency's opinion as to the applicability of Sections 633.025(6) and 633.025(7), F.S.; NFPA 101, Life Safety Code Sections 3.3.28.3 and 31.3.4.5 as it applies to the petitioner.

Petitioner requests a declaratory statement regarding smoke alarms at the Banyan Bay Club Condominiums, 5250 Gulf of Mexico Drive, Longboat Key, FL. 1. Are the buildings within Banyan Bay Club "apartment buildings" per Life Safety Code Section 3.3.28.3? 2. If yes, does the Town Fire Marshal have the authority under Sections 633.025(6) and (7), F.S., to require units within Banyan Bay Club to immediately comply with Life Safety Code Section 31.3.4.5?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238; Fax: (850)922-1235 or (850) 488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mail your request to: Lesley.Mendelson@myfloridacfo.com.

Section VIII Notices of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

Millercoors, LLC, A Delaware Limited Liability Company vs. Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco; Case No.: 10-2382RP; Rule Nos.: 61A-1.0101, 61A-1.01011, 61A-1.0104

Barbara M. Blanco vs. Department of Business and Professional Regulation, Regulatory Council of Community Association Managers; Case No.: 10-2905RX; Rule No.: 61E14-2.001(5)

Elmwood Terrace Limited Partnership vs. Florida Housing Finance Corporation; Case No.: 10-2799RX; Rule No.: 67-48.0072(10)

My Friend Home Care, Inc. vs. Agency for Health Care Administration; Case No.: 10-2657RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Gamestop, Inc. vs. Department of Revenue; Case No.: 09-5759RX; Rule No.: 12A-1.074; Invalid

Florida Beer Wholesalers Association, Inc. vs. Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco and Retail Beverage Council of the Florida Retail Federation, Wine and Spirits Distributors of Florida, Inc., and Beer Industry of Florida, Inc. (Intervenors); Case Nos.: 08-1010RP, 08-4618RP; Rule Nos.: 61A-1.010, 61A-1.0109, 61A-1.0101, 61A-1.0102, 61A-1.0103, 61A-1.0104, 61A-1.0105, 61A-1.0106, 61A-1.0107, 61A-1.0108, 61A-1.01010, 61A-1.01011, 61A-1.01012, 61A-1.01013, 61A-1.01014, 61A-1.01015, 61A-1.01018, 61A-1.01022, 61A-1.01024; Withdrawal

Millercoors, LLC, A Delaware Limited Liability Company vs. Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco and Florida Beer Wholesalers Association, Inc., Anheuser-Busch, Inc., and Beer Industry of Florida, Inc. (Intervenors); Case No.: 10-2382RP; Rule Nos.: 61A-1.0101, 61A-1.01011, 61A-1.0104; Withdrawal

Anheuser-Busch, Inc. vs. Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco; Case No.: 08-4784RP; Rule No.: 61A-1.0109; Withdrawal

City College vs. Department of Health; Case No.: 10-2192RP; Rule No.: 64J-1.020; Voluntarily Dismissed

Ramdass Ramphal, Lucia Calventi, and Janice Wright vs. Department of Children and Family Services; Case No.: 09-2947RP; Rule No.: 65A-1.900; Dismissed

Ramidass Ramphal, Lucia Calventi, Janice Wright, and Esmeralda Cruz vs. Department of Children and Family Services; Case No.: 09-6125RP; Rule No.: 65A-1.900; Dismissed

Armando Cesar Santana vs. Department of Financial Services; Case No.: 09-0829RX; Rule No.: 69B-211.041(3), (11), 69B-211.042(3)(a), (8)(a), (b), (c), (9)(a), (b), (17)(b)2., (c)1., 2., 3., (21), 69B-211.042(8)(a),²⁵ (17)(c)3.; The following rule provisions are stricken as invalid exercises of delegated legislative authority: Florida Administrative Code, Rule 69B-211.042(8)(a),²⁵ and (17)(c)3.; the phrase in the last sentence of Florida Administrative Code Rule 69B-211.042(9)(a), “for each additional felony”; and the phrase in Florida Administrative Code Rule 69B-211.042(21), “, and are all of equal weight notwithstanding from which paragraph they are drawn.” The remainder of the Second Amended Petition is dismissed.

Ana Lezcano and All Florida Health Services, Inc. vs. Agency for Health Care Administration; Case No.: 10-2184RU; Voluntarily Dismissed

Hartman and Tyner, Inc., A Florida Corporation.; Gadsden Jai Alai, Inc., A Florida Corporation; and Washington County Kennel Club, Inc., A Florida Corporation, and Daytona Beach Kennel Club, Inc. (Intervenor) vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering and Florida Quarterhorse Track Association, Inc. (Intervenor); Case No.: 08-5403RU; Dismissed

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the disciplines of engineering and architecture for Total Building Commissioning will be required for the project listed below:

Project: UF-362, UF&Shands UDC Building Renovation, Jacksonville

The facility will include an upgrade of the building envelope and utilities infrastructure, roof replacement, and selective renovation of approximately 20,860 gross square feet (GSF) of the UDC Building under several phases of construction that minimize disruption to the building occupants. The Shands Jacksonville UDC Building is a 3 story, 34,946 GSF facility, constructed in the mid-1950's, located on the Shands Jacksonville Medical Center campus. It has been utilized as a multi-purpose building providing student dormitory space and various hospital support functions over the years. Gold LEED-CI (Leadership in Energy and Environmental Design -Commercial Interiors) certification by the U.S. Green Building Council is mandatory. The scope of services shall include design phase peer review, completion and maintenance of the Owner's Project Requirements (OPR) document, development of the Commissioning Plan and Commissioning Specifications, and construction phase pre-functional, functional, and performance testing for mechanical, electrical, building automation, and building envelope systems. The consultant shall also support project efforts to achieve higher-than-normal energy efficiency and attain Gold LEED certification.

Blanket professional liability insurance will be required for this project in the amount of \$1,000,000.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet for Commissioning Consultants, and other background information. The proposal shall be limited to 20 single-sided pages OR 10 double-sided, consecutively-numbered pages and shall include: