

A copy of the Petition may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Douglas Jackson. Petitioner requested that the Department of Corrections amend Florida Administrative Code Rule 33-3.0051 by deleting that portion which grants discretion to the Department as to whether copying services will be provided. The Department denied the petition, finding that the current rule in no manner impedes an inmate's right to access to court.

A copy of the Order, Case No. DC 99-34, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Douglas Jackson and Raymond Coleman. Petitioners requested that the Department of Corrections amend Florida Administrative Code Rule 33-3.0051 to establish co-litigant guidelines. The Department denied the petition, holding that problems in this area do not arise often enough to merit promulgation of a rule and that such instances are best dealt with at the institutional level on a case by case basis.

A copy of the Order, Case No. DC 99-24, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from William McDaniel. Petitioner requested that the Department of Corrections amend several sections of Florida Administrative Code Chapter 33. Specifically, petitioner requested an amendment to Rule 33-11.015(2) that would change all references to an "outstanding" rating to one of "above satisfactory." The Department granted that portion of the petition.

Additionally, Petitioner sought an amendment to Rule 33-9.023(5)(b) that he claimed would replace an incorrect statutory reference to an escape conviction. The Department denied that portion of the petition, holding that the statutory reference was correct.

Lastly, Petitioner sought the repeal of Rule 33-6.0045(2)(d)-(k) because he believes that the rule represents an invalid exercise of authority. The Department denied this portion of the petition, finding that Sections 944.09 and 944.1905, Florida Statutes provide sufficient authority for rule-making in this area.

A copy of the Order, Case No. DC 99-32, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Susanne Manning. Petitioner requested that the Department amend Florida Administrative Code Rule 33-3.018 to include a provision requiring that inmates be provided monthly statements detailing the activity in their inmate bank trust fund accounts. The petition was granted.

A copy of the Order, Case No. DC 99-22, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Susanne Manning. Petitioner requested that the Department of Corrections amend Florida Administrative Code Rule 33-3.0025 to include a provision that would increase the possession limit on plastic spoons from one to five. The Department denied the petition, finding there is no need for an inmate to possess more than one spoon.

A copy of the Order, Case No. DC 99-33, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

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:

1st Propane of Bushnell vs. Department of Agriculture and Consumer Services; Rule No.: 5F-11.047; Case No.: 99-2621RX

Jerome Jones vs. Florida Agricultural and Mechanical University; Rule No.: 6C3-10.232; Case No.: 99-1169RU

CORRECTION – East Point Hospital vs. Agency for Health Care Administration; Rule No. 59Q-6.020; Case No.: 99-2813RP

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

Jerome Jones vs Florida Agricultural and Mechanical University; Rule No.: 6C3-10.232; Case No.: 99-1169RU; Dismissed

CORRECTION – Kensington Manor, Inc., d/b/a/ Heartland Health Care and Rehabilitation Center of Sarasota vs. Agency for Health Care Administration; Rule No.: 59A-4.128(7); Case No.: 99-2362RX; Dismissed

Vance Hurd, et al., vs Department of Environmental Protection; Rule No.: 62N-22.005; Case No.: 99-2062RP; Dismissed upon Withdrawal

**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

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 00L-16, W/O 393842, Substation #2, Replace 5000 KVA Transformers 1 & 2, estimated budget: \$200,000-\$215,000, to be opened August 17, 1999, 1:30 p.m. in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Local Time. Scope of work: Replacement of the two existing 5000 KVA base rated transformers identified as Transformer No. 1 and Transformer No. 2 in the University of Florida Substation No. 2 with new 6175 KVA base rated transformers. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, Telephone (352)392-1331. A Non-mandatory Pre-Bid Meeting will be held August 4, 1999, 1:30 p.m., in the Physical Plant Division

Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to: A. J. Sontag, Assistant Director, UF Purchasing, (352)392-1331, Ext. 306.

Americans With Disability Act of 1991. If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

NOTICE TO CONSTRUCTION MANAGERS

The University of Florida on and behalf of the Board of Regents, a public corporation of the State of Florida, announces that construction management services will be required for the project listed below:

Project No.: BR-180, Project and Location: WUFT TV/FM Weimer Hall Addition. The project consists of 13,790 GSF addition to the Weimer Hall to include new television and radio broadcast spaces with advanced broadcasting and recording technology. The estimated construction cost is \$2,150,000.00.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, ensuring the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract. Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation requirements. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard State University System's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.