

The declaratory statement provided, in summary, that the Department interprets Chapter 200-138, Laws of Florida, as prospective in nature and as such will enforce the provisions of the Act upon title loan contracts entered into after October 1, 2000.

A copy of the declaratory statement may be obtained by writing: Agency Clerk, Office of the Comptroller, The Fletcher Building, 101 East Gaines Street, Suite 526, Tallahassee, Florida 32311-0350.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on September 18, 2000 from Edward Campbell. Petitioner is seeking amendment of Rule 33-602.405, Florida Administrative Code, to require the Department to provide copies of continuation pages of inmate request forms.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from James Quigley. The Petitioner requested that the Department of Corrections amend Rule 33-103.005(2)(b)2., Florida Administrative Code, to require two rather than three copies of attachments to the DC1-303, Request for Administrative Remedy or Appeal Form, predicated upon the fact that the form is a four part form, whereas the DC6-236, Informal Grievance Form, is a three part form.

The Department denied Inmate Quigley's Petition to Initiate Rulemaking. The forms at issue were specifically designed and created with the purpose supplying the required number of copies to exhaust the inmate grievance process. Amendment of the rules pursuant to the Petitioner's request would result in an insufficient number of copies to satisfy the grievance process and increase the burdens upon staff to locate and copy attachment pages.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Margarita Valero. The Petitioner requested that the Department of Corrections amend Rule 33-401.401, Florida Administrative Code, to ban the sale of all tobacco products in Department facilities.

The Department denied Inmate Valero's Petition to Initiate Rulemaking. The Rule currently is in compliance with state law, and to reduce the danger of secondhand smoke, prohibits the use of tobacco products in indoor areas of Department facilities. It has not been established that a total ban on the sale and possession of tobacco products would be more effective than the current rule, since such a ban would create a new form of contraband and cause inmate dissatisfaction.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the Board of Psychology has received a Petition for Declaratory Statement with regard to Rules 64B19-11.005 and 64B19-11.011, Florida Administrative Code, which was filed September 18, 2000, by Bret L. Emery, M. A. and Natalie K. Emery, M. A. Petitioners request a declaratory statement from the Board in regard to their post-doctoral supervision and whether they may open their own private practice with a licensed clinical psychologist on the premises. The Board will address this matter at its regularly scheduled board meeting which will be held December 1, 2000, 9:00 a.m., at the Ramada Inn Tallahassee, 2900 North Monroe Street, Tallahassee, Florida 32303, (850)386-1027.

A copy of the Petition for Declaratory Statement may be obtained by writing: Kaye Howerton, Board of Psychology, Department of Health, 4052 Bald Cypress Way, BIN #05, Tallahassee, Florida 32399-3255.

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:

NONE

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

David P. Siegel vs. University of Central Florida; Rule No.: 6C2-3.004; Case No.: 99-4622RX; Closed

Coastal Steel Construction, Inc., vs. Department of Revenue; Rule No.: 12A-1.051(11)(g); Case No.: 99-4866RP; Dismissed

City of Tampa, Florida vs. Southwest Florida Water Management District; Rule Nos.: 40D-2, 40D-4, and 40D-8; Case No.: 00-0742RP; Dismissed

Crystal Springs Recreational Preserve, Inc. and Two Rivers Ranch, Inc. vs. Southwest Florida Water Management District and Sierra Club, Friends of the River, Inc., a not for profit civic association, and Paul F. Stein; Rule Nos.: 40D-8.041, 40D-80.073; Case No.: 00-0647RP; Dismissed

Friends of the River, Inc., a not for profit civic association; Philip Compton; B. John Ovink; Barbara R. Lewis; Ed Ross; Pamela G. Stein; Paul F. Stein; and Elizabeth Taylor vs. Southwest Florida Water Management District and Sierra Club; Rule No.: 40D-80.073; Case No.: 00-0646RP; Dismissed

East Pointe Hospital vs. Agency for Health Care Administration; Rule No.: 59G-6.020; Case No.: 99-2813RP; Dismissed

Florida Association of the American Institute of Architects, The American Institute of Architects and Miguel A. Rodriguez, AIA vs. Department of Business and Professional Regulations; Rule No.: 61-6.015; Case No.: 00-3614RP; Dismissed

Envirotest Technologies, Inc. and Marta Technologies, Inc. vs. Department of Environmental Protection; Rule No.: 62-204.500; Case No.: 00-0816RP; 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

A meeting to review and evaluate proposals received in response to the Request for Proposals (RFP) #2001-02, Selection of Diagnostic Reading Assessment Instruments for Use in Florida Schools, will be held October 18-20, 2000, 9:00 a.m. – 4:30 p.m., in Turlington Building, Room 503, Tallahassee, FL.

To obtain additional information and request an agenda for this meeting, please contact Dr. Judith Keck, (850)488-8198.

NOTICE TO CONSTRUCTION MANAGERS

Florida State University announces that construction management services will be required for the project listed below:

Project No.: BR-201

Project and Location: Parking Garage No. 2
Florida State University
Tallahassee, Florida

The project consists of a parking garage with a minimum of 1,000 spaces at the intersection of Woodward Avenue and Park Avenue on the Florida State University main campus. The design will also consider the possibility of a future conversion of 20,000 square feet to office space and the addition of a fifth level of parking. The construction budget is approximately \$8,780,000. If the future space conversion and addition of a fifth level of parking occurs, the total project amount may be increased by approximately \$5,000,000.

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