

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received an amended petition for declaratory statement In Re: Amendment to Petition for Declaratory Statement, John J. Johnson, Unit Owner, Baywatch Condominium, Petitioner, on May 10, 2002.

The Petitioner requests an interpretation as to whether:

1. Is the action of the members of the association to waive the requirement to provide audited financial statements for the year 2002 in compliance with Rule 61B-22.006? Is the requirement for audited financial statements for the year 2002 still in effect regardless of the action taken by the members at the annual meeting on April 27, 2002?
2. Is the board responsible to the members for compliance with the condominium documents in accordance with Chapter 718, Florida Statutes, and Rule 61B-22, Florida Administrative Code? Which actions of the board, if any, described in this petition appear to be in violation of the condominium documents in accordance with Chapter 718, Florida Statutes, and Rule 61B-22, Florida Administrative Code? What liability does the board assume by failing to comply after becoming aware of a noncompliance?

A copy of the Amendment to Petition for Declaratory Statement, Docket Number CD2002-025, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Please refer all comments to Joseph Garwood, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed on behalf of John Sokolowicz, M.D. The Board reviewed the petition at its meeting held on April 6, 2002, in Jacksonville, Florida. The Board's Final Order, filed in this cause on May 6, 2002, finds that under the specific facts of the petition, the proposed contractual arrangement does not constitute prohibited patient self-referral.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

NOTICE IS HEREBY GIVEN THAT on May 20, 2002, the Board of Physical Therapy Practice received a Petition for Declaratory Statement from Nick Galvez. The petition seeks

the agency's opinion as to the applicability of Section 486.021, Florida Statutes, and how the statutory provision, particularly subsection (11), affects petitioner.

A copy of the Petition for Declaratory Statement may be obtained by writing: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, Department of Health, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

The Board of Psychology hereby gives notice that it has received a Petition for Declaratory Statement filed by Mark D. Cunningham, Ph.D. The Petitioner seeks the Board's interpretation of Section 490.014(2)(e), Florida Statutes, with regard to a licensure exemption to provide forensic services in Florida.

A copy of the petition may be obtained by writing: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255.

The Board of Psychology hereby gives notice that it has received a Petition for Declaratory Statement filed by Timothy J. Darning, Ph.D. The Petitioner seeks the Board's interpretation of Section 490.014(2)(e), Florida Statutes, with regard to a licensure exemption in Florida.

A copy of the petition may be obtained by writing: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, 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:

Killingsworth Environmental, Inc., Environmental Security, Inc., Environmental Security of Okaloosa, Inc., Environmental Security of Panama City, Inc. and Environmental Security of Gainesville, Inc. vs. Department of Agriculture and Consumer Services; Case No.: 02-1287RX; Rule No.: 5E-14.102(5)

Par Gas, Inc. d/b/a 1st Propane of Bushnell vs. Department of Agriculture and Consumer Services; Case No.: 02-1617RX; Rule No.: 5F-11.047(1)

Florida Pool and Spa Association, Inc. vs. Florida Building Commission; Case No.: 02-1192RX; Rule No.: 9B-3.047

City of Marathon vs. Florida Administration Commission;
Case No.: 02-1075RP; Rule No.: 28-18

Maria Albo vs. Department of Elder Affairs; Case No.:
02-1482RX; Rule Nos.: 58A-1.001(45), 58A-1.007(3)(f)

North Miami Medical Center, Ltd., d/b/a Parkway Regional
Medical Center vs. Agency for Health Care Administration;
Case No.: 02-1656RP; Rule Nos.: 59E-5.201, 59E-5.605

Florida Pharmacy Association vs. Agency for Health Care
Administration; Case No.: 02-1288RP; Rule No.: 59G-4.250

Maria Albo vs. Agency for Health Care Administration; Case
No.: 02-1483RX; Rule No.: 59G-8.200(6)(b),(10)(c)

Beal St., Inc. vs. Department of Business and Professional
Regulation, Division of Alcoholic Beverages and Tobacco;
Case No.: 02-1428RX; Rule No.: 61A-5.010(2)(a),
61A-5.015(5)

Badger Meter, Inc. vs. Department of Environmental
Protection; Case No.: 02-1267RX; Rule No.: 62-555.320

Florida Academy of Physician Assistants and Raymond Jeffrey
Hulley, MS PA-C vs. Department of Health, Board of
Medicine; Case No.: 02-2005RP; Rule No.: 64B8-2.001

Michael J. Hason, M.D., J.D. vs. Department of Health; Case
No.: 02-1612RX; Rule No.: 64B8-4.022

Maria Albo vs. Department of Children and Family Services;
Case No.: 02-1481RX; Rule No.: 65A-1.711(4)(f)

Orange County vs. South Florida Water Management District;
Case No.: 02-1622RU

Commcare Pharmacy, Inc. vs. Agency for Health Care
Administration; Case No.: 02-1938RU

Florida Association of Medical Equipment Services vs.
Agency for Health Care Administration; Case No.: 02-1314RU

Beal St., Inc. vs. Department of Business and Professional
Regulation, Division of Alcoholic Beverages and Tobacco;
Case No.: 02-1431RU

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

Professional Asset Recovery Association, Inc. vs. Department
of Banking and Finance, Division of Finance; Case No.:
01-3776RP; Rule Nos.: 3D-20.0021, 3D-20.0022,
3D-20.030(11); Dismissed

Angelo's Aggregate Materials, Ltd. vs. Suwannee River Water
Management District; Case No.: 01-4383RX; Rule Nos.:
40B-1.702(4), 40B-4.1020(12), (30), 40B-4.1030,
40B-4.1040(1)(b), (c), 40B-4.2030(4), 40B-4.3000(1)(a),
40B-4.3010, 40B-4.3020, 40B-4.3030, 40B-4.3040,
40B-400.103(1)(h); Dismissed

Angelo's Aggregate Materials, Ltd. vs. Suwannee River Water
Management District; Case No.: 01-4026RU; Rule Nos.:
40B-4.3010, 40B-1.702(4), 40B-4.1020(12); Dismissed

Southern Baptist Hospital of Florida, Inc. vs. Agency for
Health Care Administration and St. Vincent's Medical Center,
Inc. and St. Luke's Hospital Association d/b/a St. Luke's
Hospital; Case No.: 02-0575RX; Rule No.: 59C-1.012(2);
Denied

Jacqueline M. Lane, Apalachicola Bay and River Keeper, Inc.,
Save Our Bays, Air and Canals, Inc., Florida Public Interest
Research Group, Citizen Lobby, Inc., Santa Rosa Sound
Coalition, Friends of Saint Sebastian River, Linda Young and
Save our Suwannee, Inc. vs. Department of Environmental
Protection and Florida Electric Power Coordinating Group,
Inc., Florida Pulp and Paper Association Environmental
Affairs, Inc., Florida Manufacturing and Chemical Council,
Inc. and Florida Water Environment Association, Inc.; Case
Nos.: 01-1332RP, 01-1462RP, 01-1463RP, 01-1464RP,
01-1465RP, 01-1466RP, 01-1467RP, 01-1797RP; Rule No.:
62-303; Dismissed

The Florida Electric Power Coordinating Group, Inc. vs.
Department of Environmental Protection; Case No.:
01-4257RU; Rule No.: 62-620.610; Dismissed

Columbia Hospital Corporation of South Broward d/b/a
Westside Regional Medical Center vs. Department of Health
and North Broward Hospital District d/b/a Broward General
Medical Center and d/b/a North Broward Medical Center; Case
No.: 02-0400RU; Rule No.: 64E-2.022(3); Denied

Brisas Del Mar, Ltd. vs. Florida Housing Finance Corporation; Case No.: 01-3946RU; Rule No.: 67-11; Dismissed

Beal St., Inc. and Timothy James Beal vs. Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco; Case No.: 02-1431RU; Rule Nos.: 61A-5.0105(5), 61A-5.010(2)(a); 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 South Florida St. Petersburg announces that Qualifications Based Development Services Team for the design and construction of a student residential facility will be required for the project listed below:

PROJECT NAME: USF St. Petersburg Student Residential Facility (Phase II)

PROJECT AND LOCATION: University of South Florida St. Petersburg, St. Petersburg, Florida.

Project Description:

The University of South Florida St. Petersburg will provide approximately 240 beds of student housing in a newly-built residence hall on campus land for occupancy in Fall 2004. The University will create such a facility through a ground lease with an independent not-for-profit foundation which would develop and manage the residence. The project team will include a mix of 4-bedroom single apartments and 2-bedroom double suites in 4-story buildings, to minimize rental risk and provide flexibility in housing assignments. A site at the northeast corner of campus is recommended for this use, which is consistent with the Campus Master Plan.

The project must comply with and adhere to the program to meet financial proforma requirements. The Development Services Team shall be responsible for management of the process and project to meet project scope, budget and schedule requirements. The management of the process and project by the Development Services Team shall facilitate the Owner's organization's needs, and accomplishing those needs within the mandatory project schedule for occupancy requirements.

The Development Services Team contract shall be in compliance with the qualifications based Development Services Team selection provisions in Rule 6C-14.007, F.A.C., including pre-construction fees, construction related services costs and a guaranteed maximum price.

The University will contract with the selected team for all services including, but not necessarily limited to, budgeting, labor, materials, and equipment required to design, construct, and furnish the project. The selected team will be required to provide computer generated drawings in accordance with the standards of the University of South Florida.

Blanket professional design liability insurance will be required for this project in the amount of \$250,000.00 and will be provided as a part of Basic Services.

The proposed contractual value of this project can be as high as \$8,886,600.00. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best Rating of "A".

INSTRUCTIONS

Teams desiring to apply for consideration shall submit a completed "Design and Construction Services Qualifications Supplement", which may be obtained by contacting: Norma Schnapp, Contracts Administrator, Facilities Planning and Construction, University of South Florida, St. Petersburg, 140 7th Avenue, South, DAV 125, St. Petersburg, Florida 33701, (727)553-1822, Fax (727)553-3194 or email nschnapp@stpt.usf.edu.

All teams must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Interested teams are requested to attend a presubmittal meeting at the University of South Florida St. Petersburg to be held at 2:00 p.m. (Eastern Standard Time), Thursday, June 13, 2002, in Davis Hall, Room 130, USF, St. Petersburg, 140 7th Avenue, South, St. Petersburg, Florida, to review the scope and requirements of this project. Requests for meetings by individual teams will not be granted.

MINORITY PROGRAM: Teams are required to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, State of Florida Department of Labor and Employment Security. A minimum goal of 21% participation has been established.