

**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:**

City of Tampa vs. Department of Environmental Protection; Case No.: 03-0420RP; Rule No.: 62-40

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

Florida Pool and Spa Association, Inc. and Mark Rodrigue vs. Florida Building Commission; Case No.: 02-2505RX; Rule No.: 9B-3.047; Invalid

**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 announces that Construction Management Services will be required for the project listed below:

Project Number: USF-515

Project and Location: Health Care and Education Center, University of South Florida, Tampa Campus, Tampa, Florida.

**PROJECT DESCRIPTION:**

The Health Care and Education Center is a shared educational facility incorporating multiple components to serve the University of South Florida's colleges of Medicine, Nursing and Public Health. The project will be developed with multiple

phases and/or sites, titled Critical Elements, and will include new construction, renovations to existing facilities, and related infrastructure improvements. The design will take into consideration the functional relationships described by the Facilities Program and Feasibility Studies. The design and construction of the project may include phasing to address multiple funding sources and multi-year legislative appropriations.

The award for Construction Management Services is subject to legislative appropriations and availability of funding. The estimated construction budget for Critical Element No. 1 of the project is anticipated to be up to \$10,000,000.00 including site related work. The estimated construction budget for Critical Elements Nos. 2 and 3 of the project is anticipated to be up to \$45,000,000.00 including site related work. The project may be broken down into multiple sub-phases depending upon the availability and/or sequence of funding.

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 cost model, and estimating for Critical Element Nos. 1, 2 and 3 through the Design Development phase. Additionally, Phase One pre-construction services will include the development of a Guaranteed Maximum Price (GMP) at the 50% Construction Documents phase for Critical Element No. 1 only. Development of a Guaranteed Maximum Price (GMP) for Critical Elements Nos. 2 and 3 is dependent on the availability and/or sequence of funding. 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 (MBE). 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, conceptual cost estimating and 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 project program and the latest documentation prepared by the project Architect/Engineer, a description of the final interview requirements, and a copy of the standard University of South Florida Construction Management Agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The