

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

The Florida Real Estate Commission hereby gives notice that it has issued an Order on the Petition for Declaratory Statement that was filed on September 16, 2005, by Jennifer L. DeSantis, Esq. on behalf of DeSantis Commercial, Inc. The Notice of Petition for Declaratory Statement was published in Volume 31, No. 39, of the September 30, 2005, Florida Administrative Weekly. Petitioner sought the Commission's interpretation as to whether an individual exempt under Section 475.11(2), Florida Statutes, at the time he procures an executed contract for sale, is paid a salary; but, if that individual becomes a licensed real estate sales associate prior to the closing of that contract, is the individual entitled to a commission or other compensation on a transactional basis, or does Section 475.41, Florida Statutes, preclude same? If no commission is payable, can payment continue on a salary basis? The Commission considered the Petition at its meeting held on October 18-19, 2005, in Orlando, Florida. The Commission's Order, filed on February 20, 2006, GRANTED the Petition for Declaratory Statement and provided that Section 475.011(2), Florida Statutes, precludes payment of a commission to a licensee, who is not licensed at the time of first involvement in the transaction.

A copy of the Commission's Order may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801.

The Florida Real Estate Commission hereby gives notice that it has issued an Order on the Petition for Declaratory Statement that was filed on August 26, 2005, by Susan A. Abramson, Esq. on behalf of Bidshares, Inc., Marci Metzger and Joseph Bernard. The Notice of Petition for Declaratory Statement was published in Vol. 31, No. 37, of the September 16, 2005, Florida Administrative Weekly. Petitioner sought the Commission's determination for clarification with regard to Section 475.01(1)(a), F.S. and how it relates to the activities of Petitioners, Bidshares, Inc., Marci Metzger and Joseph Bernard.

That statute defines the term "Broker" as a person who, ... appraises, auctions, sells, exchanges, buys, rents, or offers, attempts or agrees to appraise, auction, or negotiate in the sale, exchange, purchase, or rental of business enterprises or business opportunities or any real property or any interest in or concerning the same,..... Petitioners have been cited for unlicensed practice. The Commission considered the Petition at its meeting held on September 20-21, 2005, in Orlando, Florida. The Commission's Order, filed on February 20, 2006, denied the Petition for Declaratory Statement without any opinion being issued on any of the questions presented, finding that any opinion would be improper since discipline was pending.

A copy of the Commission's Order may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801.

The Florida Real Estate Commission hereby gives notice that it has issued an Order on the Petition for Declaratory Statement that was filed on October 12, 2005, by Timothy A. Smith, Esquire on behalf of Southridge Partners I, a New York Limited Partnership. The Notice of Petition for Declaratory Statement was published in Vol. 31, No. 44, of the November 4, 2005, Florida Administrative Weekly. Petitioner sought the Commission's determination on whether the services that the general partner provides in selling the limited partnership's real property is a service: (1) of real estate that requires a real estate license under Section 475.01(1)(a), F.S., and (2) for which compensation based on percentage of the sales price of the real property will constitute a violation of real estate license law in the State of Florida. The Commission considered the Petition at its meeting held on November 15, 2005, in Orlando, Florida. The Commission's Order, filed on February 3, 2006, dismissed the Petition for Declaratory Statement without any opinion being issued on any of the questions presented, finding that the Petition for Declaratory Statement does not describe Petitioner's circumstances in sufficient detail and does not specify the statute, rule or order that might apply to Petitioner's circumstances. The Petition does not comply with Section 120.565(1), Florida Statutes, and subsection 28-105.002(4), (5), Florida Administrative Code.

A copy of the Commission's Order may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**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:

NONE

**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 AGRICULTURE AND CONSUMER SERVICES

**REQUEST FOR STATEMENT
OF QUALIFICATIONS (SOQ) – REVISED**

As an Architect or Engineer, you are invited to submit an SOQ to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF ANIMAL INDUSTRY, hereinafter referred to as the Department.

The Department is seeking professional services of an architectural/engineering firm to provide project planning, design and permitting requirements for the Department's proposed Necropsy Laboratory – Shipping/Receiving Facility to be located at 2700 N. John Young Parkway, Kissimmee, Florida 34741.

This advertisement originally appeared in the April 14, 2006 issue of FAW, Vol. 32, No 15, but has been revised to include additional information about the project and site.

PROJECT LOCATION: Kissimmee, Florida.

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications and the additional information, may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number SOQ/AI-05/06-117-REV, or by calling the Purchasing Office, (850)487-3727.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.