

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Petition for Declaratory Statement filed on behalf of Scott H. Plantz, M.D. has been withdrawn. The Notice of the Petition was published in Vol. 33, No. 43, of the October 26, 2007, F.A.W.

THE PERSON TO BE CONTACTED REGARDING THE PETITION IS: Larry McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-0353.

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has received the petition for declaratory statement from Stanley Whittaker, ARNP. The petition seeks the agency's opinion as to the applicability of Section 394.463 F.S., as it applies to the petitioner.

Specifically, the Petitioner requests that the Board issue a Declaratory Statement determining under Section 394.463 F.S., entitled "Involuntary Examination," whether it is within the scope of practice of a Florida Registered Nurse to sign the necessary forms which would lawfully allow to take place an involuntary examination of patients that are a threat to themselves or others. This petition will be considered by the Board Practice Committee at its meeting on February 6, 2008.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Michael J. Barnes, Petitioner, Petition for Declaratory Statement, Case #91645-07-FM on December 4, 2007. The following is a summary of the agency's disposition of the petition:

The Declaratory Statement concludes that with regard to the facts alleged in the Petition, the authority having jurisdiction is within his legal authority not to require parking signs on the access road because the units in question are already constructed. The Department is unable to answer the remainder of Petitioner's questions because the questions are based on facts not alleged in the Petition.

A COPY OF THE DECLARATORY STATEMENT MAY BE OBTAINED BY CONTACTING: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, FL 32399-0340, or by e-mailing your request to Lesley.Mendelson@fldfs.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from John J. Cunningham, Fire Marshal City of Cape Canaveral, Petitioner, Case No. 83177. The petition seeks the agency's opinion as to the applicability of paragraph 69A-43.018(1)(c), F.A.C., and Section 509.215(a), F.S., as it applies to the petitioner.

Occupant wants to use the Fire Flight system for the secondary means of egress.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, or (850)413-4238, Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@fldfs.com.

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:

William R. Muldrow vs. Department of Community Affairs, Division of Housing and Florida Building Commission; Case No.: 07-4070RX; Rule No.: 9B-3.0475

National Foundation to Prevent Child Sexual Abuse, Inc. vs. Department of Law Enforcement; Case No.: 07-4614RX; Rule No.: 11C-6.004(3)(b)

William Lane vs. Department of Law Enforcement; Case No.: 07-4495RX; Rule Nos.: 11D-8.011, 11D-8.012, 11D-8.013, 11D-8.014

Lifepath Hospice and Palliative Care, Inc. vs. Department of Elder Affairs; Case No.: 07-3835RP; Rule No.: 58A-2.012(1)(b)

Florida Hospices and Palliative Care, Inc. vs. Department of Elder Affairs; Case No.: 07-3836RP; Rule Nos.: 58A-2.012(1)(b), 58A-2.002, 58A-2.003, 58A-2.005, 58A-2.010, 58A-2.012, 58A-2.014, 58A-2.0232

St. Anthony's Hospital, Inc., d/b/a St. Anthony's Hospital vs. Agency for Health Care Administration; Case No.: 07-5133RP; Rule No.: 59A-3.2085

Martin Memorial Medical Center, Inc. vs. Agency for Health Care Administration; Case No.: 07-5193RP; Rule No.: 59A-3.2085

Home Delivery Incontinent Supplies Co., Inc. vs. Agency for Health Care Administration; Case No.: 07-4167RP; Rule No.: 59G-4.070

Ace Drug, Inc., d/b/a Hollywood Medical Supply vs. Agency for Health Care Administration; Case No.: 07-4168RP; Rule No.: 59G-4.070

Professional Licensure Services, Inc., vs. Department of Business and Professional Regulation, Construction Industry Licensing Board; Case No.: 07-4792RP; Rule Nos.: 61G4-15.005, 61G4-15.006, 61G4-12.011

Professional Licensure Services, Inc., vs. Department of Business and Professional Regulation, Construction Industry Licensing Board; Case No.: 07-5370RP; Rule Nos.: 61G4-15.005, 61G4-15.006, 61G4-12.011

Palm Lake Mobile Home Park, Inc., and Miami Terrace Mobile Home Park, Inc., vs. Department of Environmental Protection; Case No.: 07-4420RX; Rule No.: 62-600.120

Road Less Traveled, LLC, Anne B. Larussa; Steven and Annette McNutt; Norman and Debbie Koener; Tony and Bonnie Burton; Jonathon and Sheryl Kimmrling; Gordon and Isabelle Gsell; Randall and Florence Roberts; C.T. Fitzpatrick, III; Joseph W.; Et. AL. vs. Department of Environmental Protection; Case No.: 07-4767RX; Rule Nos.: 62B-33.002(18), (43), (60), 62B-33.005(1)(a), (1) & (2), 62B-33.0051(1)(a), (2)(c), 62B-33.0051(1)(a), (2)(d)

Attorneys' Title Insurance Fund, Inc. vs. Financial Services Commission, Office of Insurance Regulation; Case No.: 07-5387RP; Rule No.: 69O-186.003(1)(c)

David Mitchell and Preston Wyatt vs. Agency for Health Care Administration; Case No.: 07-3789RU

George Marshall Smith vs. Alex Sink, as Agency head and Chief Financial Officer and Department of Financial Services; Case No.: 07-4746RU

Thomas R. Filippi vs. Department of Education; Case No.: 07-4783RU

National Foundation to Prevent Child Sexual Abuse, Inc. vs. Department of Law Enforcement; Case No.: 07-4898RU

Dairyland Insurance Company vs. Financial Services Commission and Office of Insurance Regulation; Case No.: 07-5016RU

Carrie Johnson, as lawful Custodian and Next Friend of Minor Child Jevon Evans vs. Department of Children and Family Services; Case No.: 07-5066RU

William R. Muldrow vs. Department of Community Affairs, Division of Housing and Community Development and the Florida Building Commission; Case No.: 07-5126RU

Florida Roofing, Sheet Metal and Air Conditioning Contractors Association, Inc. vs. Department of Community Affairs, Division of Housing and Community Development and the Florida Building Commission; Case No.: 07-5157RU

Bradley Wayne Kline vs. Department of Financial Services; Case No.: 07-5243RU

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

National Foundation to Prevent Child Sexual Abuse, Inc. vs. Department of Law Enforcement; Case No.: 07-4614RX; Rule No.: 11C-6.004(3)(b); Dismissed

Laserderm Medspa vs. Board of Medicine and Electrolysis Council; Case No.: 07-3611RX; Rule Nos.: 64B8-56.002(2)(a), 64B8-52.004, 64B8-50.0095; Dismissed

Attorneys' Title Insurance Fund, Inc. vs. Financial Services Commission, Office of Insurance Regulation; Case No.: 07-3631RP; Rule No.: 69O-186.003(1)(c); Voluntarily Dismissed

National Foundation to Prevent Child Sexual Abuse, Inc. vs. Department of Law Enforcement; Case No.: 07-4898RU; Dismissed

Florida Concrete Pipe Institute, Inc. vs. Department of Transportation; Plastic Pipe Institute, Inc. and Florida Transportation Builders' Association, Inc. (Intervenors) Plastic Pipe Institute, Inc. vs. Department of Transportation; Case Nos.: 05-2608RU, 05-3781RU; Voluntarily Dismissed

Florida Association of Rehabilitation Facilities, Inc. vs. Department of Children and Family Services and Agency for Health Care Administration; Case No.: 04-0217RU; Voluntarily Dismissed

Association for Retarded Citizens of Florida, Inc. vs. Department of Children and Family Services and Agency for Health Care Administration; Case No.: 04-0259RU; Voluntarily 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 of Bid/Request for Proposal

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB08SV-252, W/O 1005582, Physics Building Supply/Exhaust Valve Remediation, estimated budget: \$650,000, to be opened January 22, 2008, 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Remediation of all supply, exhaust and fume exhaust air valves, control devices, electrical work, and ductwork in the Physics Building No. 92 required in accordance with the contract documents. Additionally, furnish all materials and labor to control and balance 194 air control valves. Mandatory Pre-Bid Meeting will be held January 8, 2008 at 11:00 a.m., in the PPD A/E Conference Room, Building 700, Radio Road, Gainesville, FL. Specifications and Plans are available in

Purchasing and Disbursement Services, Elmore Hall, Radio Road, Gainesville, FL 32611. Questions should be directed to Karen Olitsky, Purchasing and Disbursement Services, kolitsk@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331, within three (3) days of the event.

NOTICE TO CONSTRUCTION MANAGERS

The University of Florida Board of Trustees announces that CM-At-Risk services will be required for the project listed below:

Project No.: UAA-19

Project Name and Location: Golf Course Club House Renovation, Gainesville, Florida.

The project consists of the renovation of Golf Course Club House at the University of Florida Golf Course, which includes renovation of the existing offices, locker rooms, athletic shop, and upgrade of the MEP systems. The estimated construction cost is \$1,200,000.00.

Silver LEED (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council is mandatory.

The contract for construction management services will consist of two phases, providing the GMP based on the conformance set document that are completed by the selected A/E firm for this project, included in the GMP are analysis of the design documents for constructability, coordination, detailing, materials, and systems; development and maintenance of the construction schedule; production of detailed jobsite management plans; development of strategies for the procurement of trade contracts; and development of a Guaranteed Maximum. If the GMP proposal is accepted and executed, the construction phase will be implemented. In this phase, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or failure to arrive at an acceptable GMP budget within the time provided in the agreement may result in the termination of the construction manager's contract.

Applicants will be evaluated on the basis of their past performance, experience; personnel, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.