

(e) In accordance with Chapter 287.057(4), if fewer than two responsive service proposals are received, the department may negotiate on the best terms and conditions that are in the best interest of the state. The department shall document the reasons that such action is in the best interest of the state in lieu of re-solicitation.

(4) The department may terminate negotiations at any time with any or all qualified offerors. When the department determines in writing that it is in the best interest of the state, it shall request that each qualified offeror submit a BAFO which takes into consideration all of the information contained in the original SPR as well as that provided through the negotiations. In those cases where negotiations generated a need for further clarification or restatement of the department's requirement, such clarification shall be clearly stated in the request for the BAFO. The department shall review the BAFOs submitted in accordance with the evaluation criteria contained in the SPR. The award, if any, shall be made to the qualified offeror whose BAFO represents the best value to the state.

(5) When it is in the best interest of the state, the department may award multiple contracts. The contract(s) resulting from this procurement process may cover all or part of the requirement described in the SPR. The department may split the service procurement requirements into smaller components and may award different components to different qualified offerors.

Specific Authority 402.73(3) FS. Law Implemented 402.73(3) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joy Neves
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard Chatel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 3, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: October 15, 1999

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-507.201
RULE TITLE: Substance Abuse Program Services – Determination of Need

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 50, December 15, 2000, issue of the Florida Administrative Weekly:

33-507.201 Substance Abuse Program Services – Determination of Need.

(1) through (5)(a) No change.

(b) Inmates refusing placement in traditional substance abuse programs due to their objection of the inclusion of deity based program participation requirements, shall not be subject to disciplinary action for that initial refusal; however, inmates who, after refusing the traditional substance abuse program on the basis of the deity programming, also refuse an alternative substance abuse program which is non-deity, cognitive and behavioral modification based shall be subject to disciplinary action.

(6) through (9) No change.

Specific Authority 397.754, 944.09 FS. Law Implemented 397.754, 944.09 FS. History--New 1-18-95, Formerly 33-37.003, Amended 7-1-00, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: 61G6-9.004
RULE TITLE: Certificate holders and Registrants
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 29, July 21, 2000, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NO.: 61G17-7.001
RULE TITLE: Seals, Signatures and Certificates of Authorization
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 27, No. 3, January 19, 2001, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE CHAPTER NO.: 64B12-11
RULE CHAPTER TITLE: Fee Schedule
RULE NO.: 64B12-11.0045
RULE TITLE: Examination Review Fee
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 36, September 8, 2000, Florida Administrative Weekly, has been withdrawn in response to comments received from the Joint Administrative Procedures Committee.

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF MANAGEMENT SERVICES

The Capitol Center Planning Commission hereby gives notice that it has received a petition, filed on January 10, 2001, by James M. Stark, III, AIA, on behalf of Petitioners, Florida Board of Regents and Kim Ball for the proposed Challenger Learning Center and IMAX Theatre to be located on the northeast corner of Kleman Plaza. Petitioners are seeking a variance to Rules 60F-3.006(1)(d) and 60F-3.008(2). With regard to Rule 60G-3.006(1)(d), the Petitioners are requesting a variance to allow the proposed use be exempt from the required minimum 15 ft. front and corner setback, 15 ft. interior side setback, and 15 ft. rear setback. With regard to Rule 60F-3.008(2), the Petitioners are requesting a variance to allow the proposed use be exempt from the required minimum standards for planting design. Written comments on this petition should be filed with Mr. L. Trent Price, Jr., Director, Capitol Center Planning Commission, 4030 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950 within 14 days of publication of this notice.

For a copy of the petition, contact: Mr. L. Trent Price, Jr., Capitol Center Planning Commission, 4030 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, or telephone (850)488-4739.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received on November 29, 2000, a petition from Margie Ward for a waiver pursuant to subsection 376.3071(12)(k)(5), F.S., of certain record keeping requirements under subsection 376.3071(12)(e), F.S. The petition has been assigned OGC case number 01-0087 and is for the Former Ward's Grocery located at 5166 Peanut Street, Greenwood, Florida, FDEP Facility #328509667.

Copies may be received from, and written comments submitted to: Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn: Lisa Randolph. Comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on October 30, 2000, a petition from J. A. Jones Environmental, seeking a waiver of certain documentation requirements of 376.3071, Florida Statutes, and Chapter 62-773, Florida Administrative Code. The petition has been assigned OGC case number 00-1724 and is for FDEP Facility #168841541, located at 5449 New Kings Road, Jacksonville, Florida.

Copies may be received from, and written comments submitted to: Inguna Varoslavane-Callahan, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection received, on December 26, 2000, a petition from SABA Petroleum, Inc., seeking a variance under section 120.542 of the Florida Statutes from the 500-foot wellhead protection setback requirement under rule 62-521.400(1)(l), Florida Administrative Code, to place an underground storage tank 480 feet from a community public water supply well. The petition has been assigned OGC File No.: 00-2386.

Copies may be received from, and written comments submitted to, Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Attn: Cynthia Christen. Comments must be received no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

The Board of Opticianry hereby gives notice that it has received a petition filed on 1/24/01 from Marc J. Barbier seeking a variance of Rule 64B12-9.0015(5), Florida Administrative Code, as it applies to Petitioner. The Board will address this matter at its regularly scheduled board meeting which will be held:

DATE AND TIME: February 22, 2001, 9:00 a.m.

PLACE: The Clarion Hotel, 2101 Dixie Clipper Road, Jacksonville, Florida 32218, (904)741-1997.

Comments on this petition should be filed with Board of Opticianry/MQA, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, Board of Opticianry, Department of Health 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

The Board of Optometry hereby gives notice that it has issued an Order in the Petition for Waiver filed by Laura Edwards, O.D. The Petitioner sought a waiver from Rule 64B13-4.001,