## 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 Florida Board of Trustees announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project: UF-275, Pathogen Research Facility, Gainesville Florida

The project consists of a new 108,000 SF multi-disciplinary research. The goal of the multi-disciplinary research environment is to create an adaptive and enduring collaborative network of disciplines that will focus on scientific, social, educational, informatics, diagnostics, and surveillance issues related to vigilance and control of newly emerging pathogens. The proposed facility will integrate in a shared research environment, disciplines that have not traditionally collaborated to attack problems of emerging pathogens. The research initiatives will focus not only on human diseases, but plant and animal pathogens that could directly or indirectly impact human health. The building will consist of research labs, offices and support services. Program components will also include environmental and human toxicology, and plant science research.

The estimated construction budget is approximately \$40,000,000.00. The project will be delivered using the Construction Management method. Silver LEED (Leadership in Energy and Environmental Design) accreditation by the U.S. Green Building Council is mandatory.

The selected firm will provide design, construction documents and construction administration services for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$2,000,000.00 and will be provided as a part of Basic Services. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Minimum professional liability insurance\$15,000, 000.00 and less\$1,000,000.00>\$15,000,000.00Limits set individuallyand special risk projects\$1,000,000.00

Applicants will be evaluated on the basis of their past performance, experience, personnel, design ability, references, location, 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.

Applicants desiring to provide professional services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be limited to 40 single-sided, consecutively-numbered pages and shall include:

- 1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, design intent, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
- 2. Company information and signed certification.
- 3. A completed, project-specific "Professional Qualifications Supplement" (PQS) proposal. Applications on any other form will not be considered.
- 4. Resumes and copies of the applicant's current Professional Registration Certificate(s) from the appropriate governing board, corporate charter(s) if applicable, LEED certification, and other pertinent credentials.

At the time of application, the applicant must hold a current design Professional Registration Certificate(s) from the appropriate governing board; must be properly registered to practice its profession 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. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected professional must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Unsigned proposals or proposals containing expired or invalid licenses will be disqualified. Submittal materials will not be returned.

The project-specific PQS form, instructions, Project Fact Sheet, Facilities Program, UF Design Services Guide, UF Construction Standards, standard University of Florida Owner-Professional agreement, and other project and process information can be found on the Facilities Planning and Construction website. Finalists may be provided with supplemental interview requirements and criteria as needed.

1	
FAW ad duration	Minimum duration in calendar
	days
Duration between	28 days
advertisement and	(for A/E and CM RFQ).
submittal date	
Construction value up	21 days
to \$200,000.00	(for call forBids)
Construction greater	30 days
than \$500,000.00	(for call for Bids)

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction Office by 3:00 p.m., local time, on Friday, July 21, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction 232 Stadium / P. O. Box 115050 Gainesville, FL 32611-5050 Telephone: (352)392-1256 FAX: (352)392-6378

Internet: www.facilities.ufl.edu

#### INVITATION TO BID

The Florida State University Facilities Purchasing shall receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

> Florida State University Facilities Maintenance, Purchasing 114F Mendenhall Building A Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the:

Bid Number	FAC89-06
Purchasing Agent:	B.J. Lewis, Facilities
Public Bid Opening:	July 11, 2006, 10:00 a.m.
	FSU-Facilities Maintenance
	114 Mendenhall Hall, Building A
	Tallahassee. Florida 32306-4150
	Facilities Maintenance Purchasing
Bid Documents:	WFSU REPLACEMENT CHILLER
	SPECIFICATIONS FLORIDA STATE
	UNIVERSITY – ENGINEERING
	SERVICES

All questions are to be related through e-mail or fax. Contact Person: Tom Shewan, Director E-Mail: tshewan@admin.fsu.edu (F) (850)644-5071

#### NOTICE TO PROFESSIONAL CONSULTANTS:

FLORIDA ATLANTIC UNIVERSITY, on behalf of its Board of Trustees, announces that professional services are required in the following discipline(s):

CODE REVIEW AND INSPECTION SERVICES.

Project(s): All Construction Projects

Project(s) Location: All Florida Atlantic University campuses. Firms applying must have State of Florida licensed and/or State of Florida certified personnel on staff to perform plans reviews and construction inspections for building, structural, mechanical, electrical and plumbing.

These services will be based on a negotiated fee schedule with each occurrence of service being authorized with a purchase order. Campus Service contracts provide that the consultant will be available on an as-needed basis. The term of agreement is for one year with the option to extend the agreement for one additional year. Two firms will be selected for these services.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Preference will be given to firms that are primarily in business of code compliance plans review and inspections. Preference will be given to firms whose personnel consist primarily of licensed and/or certified plans reviewers and inspectors. Proximity of location will be a prime factor in the selection of the firm. Design ability will not be considered for this selection.

Attach to each letter of application:

- 1. The most recent version of the FAU "Professional Qualifications Supplement" completed by the applicant. Applications on any other form will not be considered.
- 2. A copy of the applicant's current Professional Registration Certificates from the appropriate governing board. An applicant 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 properly chartered by the Florida Department of State to operate in Florida.

Submit four (4) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application materials will not be returned.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The FAU Professional Qualification Supplement forms, project fact sheet information, and selection criteria may be obtained by contacting: Keyla Thamsten, Facilities Planning Department, Florida Atlantic University, 777 Glades Road, COB 69 – Room 107, Boca Raton, Florida 33431, (561)297-3039. FAU PQS forms are available on the Florida Atlantic University Division of the University Architect web page at http://uavp.fau.edu/fp

Submittals must be received in the Facilities Planning Department, Florida Atlantic University, Attention: Keyla Thamsten, 777 Glades Road, Building CO-69, Room 107, Boca Raton, Florida 33431, by 5:00 p.m., local time, on July 24, 2006. Facsimile (FAX) submittals are NOT acceptable and will NOT be considered.

#### NOTICE TO PROFESSIONAL CONSULTANTS

Florida Atlantic University, on behalf of its Board of Trustees, announces that professional services are required in the following discipline(s):

#### GEOTECHNICAL ENGINEERING.

Project(s): Campus Service for Minor Projects

Project(s) Location: Florida Atlantic University, All campuses. Projects included in the scope of this agreement will be specific projects for which the fee for professional services is \$100,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming year. The term of agreement is for one year with the option to extend the agreement for one additional year. One firm will be selected for these services. The consultants receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional campus service professionals under contract during the same time period.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm. Design ability will not be considered as a selection category.

Attach to each letter of application:

- 1. The most recent version of the FAU "Professional Qualifications Supplement" completed by the applicant. Applications on any other form will not be considered.
- 2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant 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 properly chartered by the Florida Department of State to operate in Florida.

Submit four (4) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

FAU Professional Qualification Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Keyla Thamsten at Facilities Planning Department, Florida Atlantic University, 777 Glades Road, Bldg. CO-69, Room 107, Boca Raton, Florida 33431, (561)297-3039. FAU PQS forms are available on the Florida Atlantic University Division of the University Architect web pages at http://uavp.fau.edu/fp

Submittals must be received in the Facilities Planning Department, Florida Atlantic University, Attention: Keyla Thamsten, 777 Glades Road, Bldg. CO-69, Room 107, Boca Raton, Florida 33431, by 5:00 p.m., local time, on July 24, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered.

#### CALL FOR BIDS

The University of West Florida Board of Trustees is soliciting sealed bids for the following:

## UWF North Zone Parking Lot Addition

A Mandatory Pre-Solicitation Conference will be held on Thursday, July 6, 2006 at 2:00 p.m. (CDT), in Bldg. 92, Training Room, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

All bidders are required to attend the pre-solicitation conference. Potential subcontractors are invited to attend to become familiar with the project specifications and to become acquainted with contractors who may bid the project.

Sealed bids will be received until 2:00 p.m (CDT), Tuesday, July 18, 2006 at the Department of Procurement Services, Bldg. 8, Room 102, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

Bid number #05/ITB-25/RH must be marked on outside of bid package. The University will not be responsible for unopened bid packages at the bid opening when the package is not properly identified. Bids must be submitted in full and in accordance with the requirements of all terms and conditions of the Invitation to Bid. View this solicitation and related information on the Department of Procurement Services' website at: http://uwf.edu/procurement

A CD containing plans and specifications may be obtained from: The Department of Procurement Services, The University of West Florida. Contact Richard Hinton, rhinton@ uwf.edu or (850)474-2631 to arrange pick up.

#### NOTICE TO CONSTRUCTION MANAGERS

Florida International University, on behalf of the State of Florida, Board of Regents, announces that construction management services will be required for the project listed below:

Project and Location: Continuing Services Contracts for all sites of Florida International University, Miami, Florida

Project Description: The construction Manager will be the single point of responsibility for performance of the project construction contracts, functioning as an independent contractor, publicly bidding trade contracts.

Continuing Services Contracts are specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less. Accordingly, the selected firm(s) minimum bonding capacity should be \$1,000,000. This will be a multiple award contract for an initial period of one year with an Owner's option to renew an additional year. Two contracts will be awarded. Campus Service Contracts provide that the consultant will be available on an as-needed basis for the Fiscal Year, July 1 – June 30.

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; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, and staff and consultants. Finalists will be provided with a list of the final interview evaluation criteria, and a copy of the standard SUS construction management agreement for continuing services projects. The final ranking shall be determined based on oral presentations and references. The Selection Committee may reject all proposals and stop the selection process at any time. **INSTRUCTIONS:** 

Firms desiring to provide construction management services for this project shall submit a letter of application and a completed State of Florida, Board of Regents "Construction Manager Qualifications Supplement," (CMQS). Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Facilities Management, Florida International University, Campus Support Complex, Room 236, University Park, Miami, Florida 33199, telephone (305)348-4090, or by Faxing a request to (305)348-4091, or login to http://facilities. fiu.edu/fpc.htm (Find project under Facilities Construction Project Information). Requests for meetings by individual firms will not be granted. Eight (8) bound copies of the required proposal data shall be submitted to: Robert Griffith, Director of Facilities, Florida International University, Campus Support Complex, Room 236, University Park, Miami, Florida 33199.

Submittals must be received by 2:00 p.m., local time, on July 21, 2006 Late submittals shall disqualified. Facsimile (FAX) submittals are not acceptable and will not be considered.

## 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."

#### EXPRESSWAY AUTHORITIES

**Request For Proposals** 

For Design, Build, Operation, Maintenance,

and Finance of the North Tampa East-West Road Project The Tampa-Hillsborough County Expressway Authority ("Authority") is requesting proposals from qualified firms for the Design, Build, Operation, Maintenance, and Finance of the North Tampa East-West Road Project ("Project"). This Project is an innovative public-private partnership project consisting of approximately 3.1 miles of new limited access alignment from the vicinity of Commerce Park Boulevard westerly to I-275, including an interchange at I-275. The Request for Proposal (RFP) package, which provides additional instructions, provisions, specifications, selection/negotiation criteria, schedule of events, and other information related to the Project is available on the Authority's website at www.tampa-xway. com

Proposers must provide one (1) original and fourteen (14) copies of their proposals and one CD copy by mail or hand delivery to the: Authority's Administrative Offices, 1104 East Twiggs St., Suite-300, Tampa, Florida 33602, by 12:00 Noon on September 14, 2006, subject to any extension of the deadline as provided for in the RFP.

This Project is subject to the Authority's Small Business Enterprise (SBE) policy, which strongly encourages the solicitation and utilization of SBE firms and requires nondiscrimination on the basis of race, color, sex and national origin in its employment and contracting practices. All Proposers shall comply with the SBE Policy and Procedures, which are available on the Authority's website or by calling the Authority's SBE consultant at (813)207-0003.

An evaluation team will score both written proposals and interviews, using a scale of 0-10 points for each of the following criteria: (a) proposer's experience with similar projects and key personnel qualifications (25%); (b) viability of proposer's financial plan, tolling plan and acceptability of proposed business terms (40%); (c) proposed plan for the Project (25%); and (d) Small Business Enterprise commitment (10%). The schedule of evaluation meetings and interviews will be posted at the Authority's offices and on the Authority's website.

Please direct all questions regarding this RFP notice to the Contracts Administrator by email to nancy@tampa-xway.com

## 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."

#### **DEPARTMENT OF HEALTH**

#### NOTICE TO PROFESSIONAL CONSULTANTS FOR PROFESSIONAL SERVICES FOR ARCHITECTURE – ENGINEERING CONTINUING CONTRACT

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction announces that professional services are required for the project listed below. Applications are to be sent to: Mr. Tom Matthias, Senior Architect, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, Bin B-06, Tallahassee, Florida 32399-1734, (850)245-4444, ext. 3166.

PROJECT NUMBER: 20060002

PROJECT NAME: Architectural/Engineering Continuing Contract, West Florida Catchment Area

SERVICES TO BE PROVIDED: Architectural/Engineering Services

ESTIMATED CONSTRUCTION BUDGET: Multiple projects as required by the Department with individual project construction budgets estimated not to exceed \$1,000,000. Depending on development of projects and funding the possibility exists that the contract may expire with no projects being assigned. Work may include all aspects of Architectural projects and attendant Engineering to provide for construction of new facilities and additions to existing facilities (satellite County Health Department Facilities, support structures, etc.), repair and renovation to existing facilities, including but not limited to roofing work, code compliance modifications, reconfiguration of spaces, replacement of finishes, mechanical system modifications, electrical system modifications, site improvements and minor Studies (Study fee not to exceed \$50,000). Service Area shall be the West Florida Catchment area and other locations as determined to be in the best interests of the Department of Health. The West Florida Catchment area shall include the following counties: Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, Jackson, Calhoun, and Gulf. For selection Pensacola will be the point used to calculate distance from Firm to site. Continuing Contracts selection is for a contract period of one year, renewable annually for up to two years at the discretion of the Department of Health.

RESPONSE DUE DATE: By 4:00 p.m., May 4, 2006, Local Time.

INSTRUCTIONS: Submit three (3) bound copies of the following:

- 1. Letter of interest.
- 2. A modified copy of Department of Management Services Professional Qualifications Supplement [October 1997 Edition of the Professional Qualifications Supplement (PQS)]. A copy can be obtained from the Department of Health by calling (850)245-4066. All forms provided are mandatory for qualification. Substitutions and attachments are not acceptable.
- 3. A copy of the firm's Florida Professional License renewal. (Proper registration at the time of application is required.)
- 4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
- 5. Completed Standard Form 254.
- 6. Completed Standard Form 255.

• In Article 8, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.

7. A stamped self-addressed envelope if you desire notice of selection results.

\* Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

The qualified, responsive Firm will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However they will be exempt from the one per cent fee.

# Section XII Miscellaneous

## DEPARTMENT OF STATE

#### GUIDELINES AND APPLICATIONS AVAILABLE FOR COMMUNITY LIBRARIES IN CARING PROGRAM

Grant applications and guidelines are available for the Community Libraries in Caring program administered by the Florida Department of State, State Library and Archives of Florida. Applications must be either postmarked or on file by August 31, 2006.

Guidelines and forms are available on the State Library and Archives of Florida's Web page at http://dlis.dos.state.fl.us/bld/ grants/CLIC/CLIC.html. Grant guidelines and forms may also be requested by mail from: The Grants Office, State Library and Archives of Florida, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, by phone (850)245-6620 or Suncom 205-6620, or by Fax (850)245-6643. Mail completed applications to the address indicated above.

#### DEPARTMENT OF COMMUNITY AFFAIRS

## PUBLIC HEARING ANNOUNCEMENT LOW INCOME HOME ENERGY ASSISTANCE PROGRAM and WEATHERIZATION LOW INCOME HOME ENERGY ASSISTANCE PROGRAM WAIVER FOR LIHEAP FUNDING INCREASE

The Department of Community Affairs is seeking written public comments on a proposal to submit a Standard Waiver Request to the U.S. Department of Housing and Human Services (HHS).

COMMENT PERIOD ENDS: July 6, 2006

COMMENTS SUBMITTED TO: Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or FAX (850)488-2488.

PURPOSE: Public comments on preparing a Standard Waiver Request to HHS for increasing the percentage of Low-Income Home Energy Assistance Program (LIHEAP) funding for allocating to the Weatherization Assistance Program/LIHEAP (WAP/LIHEAP). Historically fifteen percent of LIHEAP funding has been provided to the WAP/LIHEAP for performing weatherization activities on low-income client homes in accordance with U.S. Department of Energy (DOE) guidelines and regulations. However, for FY 2006-2007 the LIHEAP has received an additional funding allocation. Thus the reason for this request of an increase from fifteen percent (15%) to twenty percent (20%). This increase will apply only to the additional \$23,001,621 awarded to the state in March 2006. With a higher percentage of the additional funding being allocated to the WAP/LIHEAP, more low-income clients (LIHEAP referral and non-referral) will benefit from receiving weatherization services encompassing all of the DOE approved measures. This will assure that maximum energy savings are realized by the households served. This increase will not decrease the average number of clients that would receive LIHEAP services during the regular agreement period.

ACTIONS TO BE TAKEN: The Department of Community Affairs will review all comments received and make a decision in regard to whether to submit the Standard Waiver Request to HHS.

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to Norm Gempel, Manager, Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488. Anyone who wishes to be notified of the Department's decision may contact Mr. Norm Gempel, at the above address or telephone number, or by email at norm.gempel@dca.state.fl.us.

DCA Order No. DCA06-OR-137

## STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS

ORDINANCE NO. 06-05

#### FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land