

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:

Miguel Mora Rodriguez, by and through his best friend and guardian Maria Melendez vs. Department of Health; Case No.: 07-0689RX; Rule No.: 64I-1.001(1)(c)

Florida Society of Ambulatory Surgical Centers vs. Department of Financial Services, Division of Workers' Compensation; Case No.: 07-1042RP; Rule No.: 69L-7.100

Florida Hospital Association, Inc. vs. Department of Financial Services, Division of Workers' Compensation; Case No. 07-0978RP; Rule No.: 69L-7.501

HCA Health Services of Florida, Inc., d/b/a St. Lucie Medical Center, and Miami Beach Healthcare Group, Ltd., d/b/a Aventura Hospital and Medical Center vs. Department of Financial Services, Division of Workers' Compensation; Case No.: 07-0979RP; Rule No.: 69L-7.501

The Florida Insurance Council, Inc. vs. Office of Insurance Regulation and the Financial Services Commission; Case No.: 07-0746RE; Rule No.: 69OER07-1

Orlando Arrazola, M.D. vs. Agency for Health Care Administration; Case No.: 07-1053RU

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

D. Gregory Ruck vs. Board of Professional Engineers; Case No.: 06-5154RP; Rule No.: 61G15-20.006; Voluntarily Dismissed

Florida Power and Light Company vs. Department of Environmental Protection; Case No.: 06-2871RP; Rule No.: 62-296.470; Valid

The Florida Insurance Council, Inc. vs. Office of Insurance Regulation and the Financial Services Commission; Case No.: 07-0746RE; Rule No.: 69OER07-1; Voluntarily Dismissed

The Florida Insurance Council, Inc. vs. Department of Financial Services, Office of Insurance Regulation and Financial Services Commission; Case No.: 04-4490RP; Rule Nos.: 69O-175.003, 69O-170.005-.007, 69O-170.013, 69O-170.0135, 69O-170.014, 69O-170.0141, 69O-170.0142 and 69O-170.0155; 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 (RFQ)

For Annual Contract for Structural Engineering Services
The Office of Facilities Design and Construction announces that professional services are required for an annual contract for Structural Engineering Services for Duval County Public Schools. The firm(s) selected under an annual contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$1,000,000 (construction) and \$50,000 (study fees) respectively, provided for in §287.055 Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to:

James L. Womack, Director
Duval County Public Schools
Facilities Design and Construction
1701 Prudential Drive – 5th Floor
Jacksonville, FL 32207-8182

PROJECT MANAGER: James L. Womack
PHONE NO.: (904)390-2279

RESPONSE DUE DATE: RFQ's are due on or before April 24, 2007
 AND WILL BE ACCEPTED UNTIL 4:30 p.m.

MBE GOALS: Encouragement
 Information on the selection process can be found at www.dreamsbeginhere.org, go to about dcps, then dcps departments, then facilities design and construction then Selection Booklets.
 Applicants are advised that all plans, drawings and specifications for this project may be reused by the Owner as a prototype for future projects in the District.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund 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 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 of Bid/Request for Proposal
 For Construction Management Services

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF HEALTH, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO.: DOH #70545100
 SAMAS CODES: 64-39-45-98-506
 PROJECT NAME AND LOCATION:

Nassau County Health Department
 Yulee Clinic Alterations and Additions
 86014 Pages Dairy Road
 Yulee, Florida, 32063-2698

FOR: State of Florida, Department of Health – Nassau County Health Department

PRE-QUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes, for licensure or certification must submit pre-qualification data of their eligibility. Submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department of Management Services for the current biennium

(July 1 through June 30) of odd numbered years. Call (850)488-6233, for information on pre-qualification with the Department of Management Services. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of rule requirements is included in the Instructions To Bidders under Article B-2 "Bidders Qualification Requirements and Procedures."

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 do the following:

1. May not submit a bid on a contract to provide any goods or services to a public entity.
2. May not submit a bid on a contract with a public entity for the construction or repair of a public building or public work.
3. May not submit bids on leases of real property to a public entity.
4. May not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity.
5. May not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PROJECT DESCRIPTION: The project is to enclose 3 exterior courtyards at the Yulee Clinic, 86014 Pages Dairy Road, Yulee FL 32041 for the Nassau County Health Department, This Project adds approximately 900 Square Feet to the existing facility by enclosing three exterior courtyards. It is designed to match the existing health department building comprised of masonry, stucco and wood.

PERFORMANCE BOND AND LABOR MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and a Labor Material Payment Bond are not required. If the construction contract award amount is more than \$100,000, a Performance and a Labor and Material Payment Bond SHALL be required.

MINORITY BUSINESS ENTERPRISES: The Department of Health encourages minority businesses to participate in the bidding process including any bidder's conferences, pre-solicitation or pre-bid meetings that are scheduled. The Department of Health further encourages contractors to utilize certified minority enterprises as subcontractors or sub-vendors whenever possible. Certified vendors are those firms certified by the State of Florida Minority Business Advocacy & Assistance Office, 2012 Capital Circle, S. E., Hartman Building, Suite 100, Tallahassee, Florida 32399-2152, (850)487-0915.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: Thursday, May 3, 2007, at 2:00 p.m. (Local Time)

PLACE: Department of Health, Administration Building, Conference Room, 30 South 4th St., Fernandina Beach, FL

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Addenda, Bidding Conditions, and Contractual Conditions, which may be examined and obtained from the following: Pond Junck & Walker Architects/Planners, Inc., Attention Roy Fluriach; e-mail: FuriachR@pondco.com for purchase of documents. Address: 10199 Southside Blvd. Suite 103 Jacksonville, FL 32256 Phone (904)543-0400, Fax (904)543-0203. The above bidding documents are currently available.

ARCHITECT-ENGINEER: Pond Junck & Walker Architects/Planner, Inc., 10199 Southside Blvd., Suite 103, Jacksonville, FL 32256

DEPOSITS: All contractors, sub-contractors, vendors, manufacturers, etc. can purchase required documents. Full set of Plans and Specifications \$60.00; or Plans only \$20.00; or Specifications only \$40.00.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted no later than 4:00 p.m. (Local Time), on Friday, May 4, 2007, at the Department of Health, Administration Building, Conference Room, 30 South 4th St., Fernandina Beach, FL. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures," the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5, F.A.C. by the Owner. The qualified, responsive low bidder 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".

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION TO BID

Proposals are requested from qualified Roofing Contractors by the Agency for Persons with Disabilities, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: APD 07246210
 PROJECT: RE-ROOFING OF BUILDINGS 71 THRU 82, 131, 132, and 133
 TACACHALE CAMPUS
 1621 N. E. WALDO ROAD
 GAINESVILLE, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those firms which demonstrate current relevant licensure with the Florida Department of Business and Professional Registration by submittal of a copy of that license or certificate with their bid and compliance with the pre-qualification requirements as stated hereinbefore and in the project specifications.

The work includes the re-roofing of 14 buildings. Remove the existing built-up and shingles roof systems, including any insulation, down to the existing decks, flashings and other miscellaneous items. Replace with a cold-applied modified bitumen roofing system at flat roof areas and new asphaltic shingles at sloped roofs.

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: If the construction award is \$100,000.00 or more, a Performance Bond and Labor and Material Payment Bond are required.

BID DATE AND TIME: Sealed bids will be received at the Tacachale Campus, Building #126, Center Wide Maintenance Office, 1621 N. E. Waldo Road, Gainesville, Florida on April 26, 2007 until 2:00 p.m. (Local Time), at which time they will be publicly opened and read aloud.

PRE-BID INSPECTION: Pre-bid inspection of the on-site conditions shall be by appointment only. Bidders must contact Michael Crockrell, Maintenance Superintendent at (352)955-5671, with the Agency for Persons with Disabilities to arrange a site visit.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be examined and obtained for \$75.00 non-refundable from the architect:

SKINNER, VIGNOLA McLEAN, INC.
 1628 N. W. 6th Street
 Gainesville, Florida 32609
 (352)378-4400

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted at 2:00 p.m. (Local Time), on April 27, 2006, at the Center Wide Maintenance Office. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be otherwise notified. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "Notice and Protest Procedures" the Owner will award the contract to the qualified, responsive low bidder in accordance with Rule 60D-5, F.A.C.

SARASOTA COUNTY PUBLIC HOSPITAL DISTRICT

REQUEST FOR PROPOSALS # 07-030107

SALE AND DEVELOPMENT OF VACANT COMMERCIAL LAND AT INTERSTATE 75 AND LAUREL ROAD IN VENICE, FLORIDA

The Sarasota County Public Hospital District invites interested buyers/developers to submit proposals for the purchase and development of a 10.4 -acre tract of District-owned property at Interstate 75 and Laurel Road in Venice, Florida. Respondents must submit written proposals in strict accordance with the requirements outlined in the Request for Proposals packet, a complete copy of which is available at Sarasota Memorial Hospital's web site at http://www.smh.com/sections/corporate/Construction_Renovations/rfps/laurel-road.html or by communicating with: Deborah Taylor, Operations Director, Corporate Business Development, 1991 Main Street, Suite 245, Sarasota, Florida 34236, (941)917-1426. The deadline for submission of proposals is April 11, 2007.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Order No. DCA07-OR-051
STATE OF FLORIDA

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO. 07-01

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. (2006), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On January 22, 2007, the Department received for review Islamorada, Village of Islands Ordinance No. 07-01 ("Ord. No. 07-01") adopted by the Village on January 11, 2007.
3. The purpose of the Ordinance is to extend an existing moratorium on the conversion or change of use of existing transient dwelling units/uses into non-transient dwelling units/uses for one year or until such time as new land development regulations become effective.

4. Ord. 07-01 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006).

6. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2006), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2006). The regulations adopted by Ord. 07-01 are land development regulations.

8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. (2006). See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

9. Ord. 07-07 promotes and furthers the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
- (j) To make available adequate affordable housing for all sectors of the population of the Florida.

10. Ord. 07-01 is not inconsistent with the remaining Principles. Ord. 07-01 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 07-01 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR