

contacting: Mr. Nicholas Danu, P.E., (305)470-5219 or in writing: 1000 N.W. 111 Avenue, Room 6111-A, Miami, FL 33172, e-mail: nicholas.danu@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Dat Huynh, P.E., District Project Development Engineer, (305)470-5217 or via e-mail: dat.huynh@dot.state.fl.us.

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## Section VII

### Notices of Petitions and Dispositions Regarding Declaratory Statements

#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Julie Rawson, Unit Owner, In Re: Destin West Beach and Bay Resort Bayside Property Owners Assn., Inc., Docket No. 2012036348, on August 20, 2012. The petition seeks the agency's opinion as to the applicability of Section 718.110(4), Florida Statutes, as it applies to the petitioner.

Whether the Destin West Beach and Bayside Resort, a master association, may amend its governing documents to increase the quorum requirement for board meetings to greater than 51% under Section 718.112(2)(b)(1), Florida Statutes, and change the representative voting rights to a per unit voting right under Section 718.110(4), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Jessica Svenson, CAM, In Re: Florencia Condominium Association, Inc., on July 13, 2012. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it may not interpret an association's ambiguous governing documents.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Roy J. Brewer, Mobile Home Owner, In Re: Spanish Lakes One Homeowners Association, Inc. on July 16, 2012. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because the division did not receive a full set of governing documents which were needed and requested in order to properly address the issue.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from Mark H. Muller, Esq. on behalf of Hoar Construction, LLC., filed on August 20, 2012. The petition seeks the agency's opinion as to the applicability of Rule 61G4-15.0022, Florida Administrative Code as it applies to the petitioner.

The Petitioner seeks the Board to interpret Rule 61G4-15.0022, Florida Administrative Code, and whether a joint venture that contains at least one qualified contractor must first obtain bid authority under Rule 61G4-15.0022, Florida Administrative Code, before it can present to an owner a response to an RFQ that contains no construction cost or compensation information.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257, within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN that on August 27, 2012, the Electrical Contractors' Licensing Board has received the petition for declaratory statement from Michelle Humphries on behalf of the University of Central Florida. The petition seeks the agency's opinion as to the applicability of Section 489.503(2), F.S., as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 489.503(2), F.S., as to whether the petitioner, University of Central Florida, can use state employees of the university to perform routine maintenance or repair or construction not exceeding \$200,000 to existing installations, including fire alarm systems.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has declined to rule on the petition for declaratory statement filed by Lorraine A. Ross on behalf of the Dow Chemical Company on March 12, 2012. The following is a summary of the agency's declination of the petition:

The petition sought clarification of a conflict contained within the Florida Building Code, Energy Conservation (2010) that has subsequently been corrected. Therefore, the petition was denied because issuance of a declaratory statement would be moot.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Alfonso Fernandez-Fraga, President of Initial Engineers. The petition seeks the agency's opinion as to the applicability of Sections 607.1 and 416.5, Florida Building Code, Plumbing (2010) as it applies to the petitioner.

Petitioner seeks clarification as to the applicability of Section 607.1 in relation to Section 416.5 for providing hot water to public lavatories.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: Mo Madani, CBO Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by John C. Thomas, President/CEO of Pinch a Penny on May 4, 2012. The following is a summary of the agency's disposition of the petition:

The petition was granted, and in response to petitioner's questions the answers provide that replacing a swimming pool pump may be either a repair or an alteration and replacing the pump's motor with a like motor is classified as a repair per Chapter 5 of the Code.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000.

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NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Arnoldo A. Artiles, P.E., of Kimley-Horn and Associates on April 11, 2012. The following is a summary of the agency's disposition of the petition:

The petition was granted, and in response to petitioner's questions the answers are that under ASCE7-10 the project at issue falls under Risk Category III, under Table 1604.5, Florida Building Code, Building (2010) the project at issue falls under Risk Category II, and pursuant to Section 102.4, Florida Building Code, Building (2010), the project at issue falls under Risk Category II.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000.

**DEPARTMENT OF HEALTH**

Notice is hereby given that the Board of Medicine has received a Petition for Declaratory Statement filed by Michael D. Mozzetti, M.D., on August 20, 2012. The Petitioner requests that the Board expand the definition of “live” Category I CME to include the 2010 AMA definition of approved Category I credit as it relates to Rule 64B8-9.0131, F.A.C. The Board will consider this petition at its meeting currently scheduled for October 12, 2012.

Copies of the petition may be obtained by writing: Joy A. Tootle, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

NOTICE IS HEREBY GIVEN that the Board of Physical Therapy Practice has received the petition for declaratory statement from Rodolfo Friere, MD., filed on August 28, 2012. The petition seeks the agency’s opinion as to the applicability of Sections 486.028, 486.135, 486.151, 486.161, Florida Statutes as it applies to the petitioner.

The petition seeks the Board’s interpretation of Sections 486.028, 486.135, 486.151, 486.161, Florida Statutes, concerning supervision of a licensed massage therapist performing delegated duties under the direction of a licensed physical therapist and a licensed medical doctor.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

Please refer all comments to: Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that the Board of Psychology has received the petition for declaratory statement from Jerome H. Poliacoff, Ph.D., filed on August 8, 2012. The petition seeks the agency’s opinion as to the applicability of Sections 61.122 and 490.009(1)(r), Florida Statutes, and whether there is a conflict between Section 61.122 and 490.009(1)(r), Florida Statutes as it applies to the petitioner.

The Petitioner seeks the Board’s interpretation of sections 61.122 and 490.009(1)(r), Florida Statutes, and whether there is a conflict between Sections 61.122 and 490.009(1)(r), Florida Statutes in regards to procedures for investigating disciplinary complaints.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, at the above address or telephone (850)245-4444.

Please refer all comments to: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

**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 EDUCATION**

Notice of Bid

The University of Florida, Purchasing Services will receive sealed bids for the following: ITB13MB-120, Hub (Bldg.0032) Upper Roof Replacement WO#1289163, estimated budget: \$225,000, to be opened Tuesday, October 2, 2012 at 2:00 p.m. in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: The work includes the Re-Roofing of a portion of the