

6:00 p.m. – 8:00 p.m. Graphic displays will be shown and FDOT representatives will be available to discuss the project and answer questions about the project.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Amparo Vargas at (305)470-5349, email: Amparo.Vargas@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, Florida 33172, email: brian.rick@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: Public Information Specialist Amparo Vargas at (305)470-5349, email: Amparo.Vargas@dot.state.fl.us.

The Florida **Department of Transportation**, District Six announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 7, 2011, 6:00 p.m. – 8:00 p.m.

PLACE: Kendale Lakes Branch Library, 15205 S.W. 88th Street (Kendall Drive), Miami, FL 33196

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public meeting for a roadway project on State Road (SR) 997/Krome Avenue from Kendall Drive/SW 88 Street to SW 8 Street to discuss the project's design and scope of work. The project identification number is: 249614-3-52-01. The public meeting will follow an informal, open house format allowing the public to arrive at any time from 6:00 p.m. – 8:00 p.m. Graphic displays will be shown at the meeting, and FDOT representatives will be available to discuss the project and answer questions.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Amparo Vargas at (305)470-5349, email: amparo.vargas@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: brian.rick@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).

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## URS CORPORATION – MIAMI

The Florida **Department of Transportation** announces a workshop to which all persons are invited.

DATE AND TIME: December 15, 2011, 6:00 p.m. – 8:00 p.m.

PLACE: Intercontinental Hotel, 2505 N.W. 87 Avenue, Doral, FL 33172

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is an Alternatives Public Workshop for a Project Development and Environment (PD&E) Study along SR 826/Palmetto Expressway from SR 836/Dolphin Expressway to SR 932/NW 103 Street in Miami-Dade County.

A copy of the agenda may be obtained by contacting: Judy Solaun-Gonzalez, P.E. at (305)470-5207.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Nicholas Danu, P.E. at (305)470-5219. 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: Judy Solaun-Gonzalez, P.E. at (305)470-5207.

## 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 declined to rule on the petition for declaratory statement filed by Lawrence C. Gibel, President, In Re: Bayshore Club Management Association, Inc., Docket No. 2011047976 on October 3, 2011. The following is a summary of the agency's declination of the petition:

The Division declined to issue a Declaratory Statement because Petitioner has not provided a statement of qualifications allowing him to petition for a declaratory statement on behalf of the association; and because the petition concerns events that have already taken place.

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.

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 Wayne H. Allen, Jr., Unit Owner, In Re: Legacy Dunes Condominium Association, Inc., Docket No. 2011049302 on October 7, 2011. The following is a summary of the agency's declination of the petition:

The Division declined to issue a Declaratory Statement because it cannot issue a statement concerning events that have already taken place; or when the petition does not address a statute, rule, or division order.

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.

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.

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Ted A. Bickoff, General Plumbing, Inc. on September 16, 2011. The following is a summary of the agency's disposition of the petition:

Whether a building contractor can install a pool lift by drilling into the existing pool deck, installing a socket, and providing an independent water supply. The Notice of Petition for Declaratory Statement was published in Vol. 37, No. 41, of the October 14, 2011, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on October 14, 2011. The Board's Order, filed on November 14, 2011, issues a declaratory statement that a building contractor is not licensed to install a pool lift as described in the petition. Pursuant to Section 489.105(3), Florida Statutes, the requested pool services are outside the scope of a building contractor.

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

Please refer all comments to: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the Board of Dentistry has issued an order disposing of the petition for declaratory statement filed by Hal J. Levine, D.M.D on July 18, 2011. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 37, No. 30, of the July 29, 2011, Florida Administrative Weekly and asked whether a dentist may dispense Hydrocodone & Acetaminophen 5mg/500mg and Hydrocodone & Acetaminophen 7.5 mg/750mg prescriptions for sedated patients. The Board considered the Petition at a duly-noticed public meeting held on August 12, 2011 and October 28, 2011. The Board's Order, filed on November 14, 2011, finds that Petitioner has complied with the requirements of Section 120.565 of the Florida Statutes and Rule 28-105.002, Florida Administrative Code. The Board of Dentistry issues a declaratory statement in the negative and finds Petitioner may not dispense a controlled substance containing Hydrocodone, a Scheduled II controlled substance, to just any patient that may require sedation.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

Please refer all comments to: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN that on November 2, 2011, the Board of Pharmacy has received the petition for declaratory statement from Jennifer Fass, PharmD, CPh., on behalf of Nova Southeastern University. The petition seeks the agency's opinion as to the applicability of subsection 64B16-28.108(2), Florida Administrative Code, and Section 465.003(6), F.S. as it applies to the petitioner.

The petition seeks the Board's interpretation of subsection 64B16-28.108(2), Florida Administrative Code, and Section 465.003(6), F.S., regarding the definition of dispensing as it relates to Patient Assistance Program medications being shipped for patients to a doctor's office and provided to patients by the pharmacists.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Bogen Law Group, P.A., and Mark Bogen on June 2, 2011. The following is a summary of the agency’s disposition of the petition:

The agency has determined that Section 626.9541(1)(h), Florida Statutes when read in pari materia with Sections 626.753 and 626.112(8), Florida Statutes, does not prohibit Bogen from receiving the proposed referral fee, and would not prohibit Michelson from paying the referral fee, provided the payment is not intended as an inducement and is not contingent upon the purchase of an insurance policy. Because the Petition does not indicate how the “legal plan” referenced in Paragraph 5 (e) of the Petition is exempt from regulation pursuant to Section 642.017(1), Florida Statutes, as asserted, and because the “specified legal services” offered thereunder are not sufficiently described as to nature, content, terms, or conditions, no opinion can be offered as to the propriety of that plan or the methods through which it may be offered to customers of the Agent, or to others. The declaratory statement does not and cannot state whether the proposed contractual agreement is permitted by the Rules Regulating the Florida Bar.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Michael Davidson, Assistant General Counsel, Department of Financial Services, Division of Legal Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333.

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed on or about November 3, 2011, from Assistant Fire Chief Darren White on behalf of Fort Myers Beach Fire Control District. This case has been assigned #121574-11-FM. The Petitioner seeks a declaratory statement concerning the application of National Fire Protection Association Standards 101-29.3.2 and 101-29.3.2.2.2 (2006 edition), to a gift or retail shop in excess of 400 square feet, which adjoins a principle means of egress in an existing hotel.

A copy of the Petition may be obtained by contacting: Tina White, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4132, Fax: (850)488-0697, e-mail: Tina.White@myfloridacfo.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:**

**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: ITB12MB-130, Repaving – Parking Areas and Access Road – WO#1382602, estimated budget \$200,000.00-\$500,000.00, to be opened December 14, 2011 at 10:00 a.m., 101 Elmore Hall, Radio Road, Gainesville, FL.

Scope of work: The work includes milling of existing asphalt and resurfacing of existing paved areas in the three (3) separate parking lots or driveway areas located throughout the UF Campus. See bid documents at website below.