

12-4-02

AT

BEFORE THE SOUTHWEST  
FLORIDA WATER MANAGEMENT DISTRICT

FILED  
03 JAN -6 PM 1:35  
SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT

PAUL J. SIERRA CONSTRUCTION,  
INC.,

DRA-closed

Petitioner,

vs.

CASE NO. 02-3790BID

SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT,

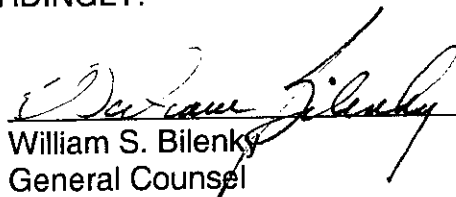
Respondent.

NOTICE OF ENTRY OF FINAL ORDER

Notice is hereby given that the attached Final Order (No. SWF 03-001) in the above-styled proceeding was entered by the Southwest Florida Water Management District (the District) on January 2, 2003, and was filed with the Agency Clerk and therefore rendered on January 2, 2003. This Notice is given and a copy of the attached Final Order mailed to the attorney or representative of record for each party in the proceeding as required by Section 120.569(1), Florida Statutes (F.S.).

In accordance with Section 120.569(1), F.S., each party is hereby informed that the following judicial review may be available: A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

PLEASE BE GOVERNED ACCORDINGLY.

  
\_\_\_\_\_  
William S. Bilensky  
General Counsel

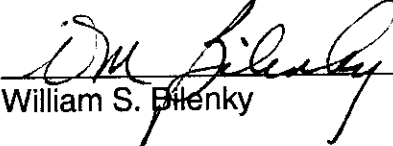
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Entry of Final Order and attached Final Order have been sent by United States mail or hand-delivered to the following this 31 day of January 2003.

Stephen H. Kurvin, Esquire  
7 South Lime Avenue  
Sarasota, Florida 34237-6105

Mark F. Lapp, Deputy General Counsel  
Steve Rushing, Senior Attorney  
Southwest Florida Water Management District  
2379 Broad Street  
Brooksville, Florida 34604-6899

Donald R. Alexander  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-1550

  
\_\_\_\_\_  
William S. Elenky

BEFORE THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

ORDER NO. SWF 03-001

PAUL J. SIERRA CONSTRUCTION,  
INC.,

Petitioner,

vs.

DOAH CASE NO. 02-3790BID

SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT,

Respondent.

FINAL ORDER

THIS CAUSE was heard by Governing Board member Monroe "Al" Coogler, Esquire, on behalf of the Governing Board of the Southwest Florida Water Management District (the "District"), pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.), for the purposes of issuing a final order in the above-styled proceeding, including consideration of the Recommended Order of the Administrative Law Judge, Donald R. Alexander (the ALJ), and the exceptions filed by Petitioner, Paul J. Sierra Construction, Inc. (Sierra).

1. On December 4, 2002, the ALJ issued his Recommended Order in this matter, a copy of which is attached hereto and incorporated herein by reference as Exhibit "A".
2. On December 12, 2002, Sierra filed timely exceptions to the Recommended Order.
3. On December 17, 2002, the Governing Board delegated authority to enter a final order in this matter, including making rulings on exceptions, to the undersigned.

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LAW JUDGE  
DOAH

4. The undersigned has reviewed the Recommended Order and it is hereby adopted and incorporated by reference in its entirety.

5. The undersigned has also reviewed the exceptions filed by Sierra and has rejected all of them for the reasons expressed in the Rulings on Exceptions to Recommended Order, which are attached hereto and incorporated herein by reference as Exhibit "B".

6. The Recommended Order recommended that the District enter a Final Order rejecting all proposals on RFP No. 008-02.

STATEMENT OF ORDER

WHEREFORE, the District hereby rejects all proposals on RFP No. 008-02.

DONE and ORDERED by the Southwest Florida Water Management District this 2<sup>nd</sup> day of Jan 2003, in Brooksville, Hernando County, Florida.

SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT

By: [Signature]  
Monroe "Al" Coogler, Governing Board Member

(Seal)

Approved as to Legal Form  
and Content  
[Signature]  
Attorney

Filed this 2<sup>ND</sup> day of  
JANUARY 2003.  
[Signature]  
Deputy Agency Clerk

Copies Furnished To:

Stephen H. Kurvin, Esquire  
7 South Lime Avenue  
Sarasota, Florida 34237-6105

Mark F. Lapp, Deputy General Counsel  
Steve Rushing, Senior Attorney  
Southwest Florida Water Management District  
2379 Broad Street  
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