

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

AMEX CIVIL LLC,)
)
 Petitioner,)
)
 vs.)
) Case No. 04-3169BID
 DEPARTMENT OF TRANSPORTATION,)
)
 Respondent,)
)
 and)
)
 SUPERIOR CONSTRUCTION CO.,)
 INC.,)
)
 Intervenor.)
 _____)

ORDER CORRECTING SCRIVENER'S ERROR IN RECOMMENDED ORDER

The Department of Transportation filed an emergency motion for clarification bringing to the attention of the undersigned a scrivener's error in his Recommended Order of December 28, 2004. As suggested by the Department, paragraph 41 of said Order is incorrect and should read as follows:

41. While the evidence shows that the Department issued a Letter of Concern to Petitioner and that the Department employees or representatives involved with the construction on the I-95/I-295 Southern Interchange project may have personal "dislike" or "animus" toward Petitioner or its corporate officers, Richard Kelly and Jack Palmer, these factors do not change the impression that the rejection of all the bids on the JTB project was for any reason other than safety concerns over the MOT plans.

Paragraph 41 of the Recommended Order dated December 28, 2004, is hereby correct as indicated.

DONE AND ENTERED this 14th day of January, 2005, in Tallahassee, Leon County, Florida.

Stephen F. Dean

STEPHEN F. DEAN
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675 SUNCOM 278-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 14th day of January, 2005.

COPIES FURNISHED:

C. Denise Johnson, Esquire
Department of Transportation
Haydon Burns Building, Mail Station 58
605 Suwannee Street
Tallahassee, Florida 32399-0458

Marianne A. Trussell, Esquire
Department of Transportation
Haydon Burns Building, Mail Station 58
605 Suwannee Street
Tallahassee, Florida 32399-0458

F. Alan Cummings, Esquire
Smith, Currie & Hancock, LLP
1004 DeSoto Park Drive
Tallahassee, Florida 32301

Mary Piccard Vance, Esquire
Vezina, Lawrence & Piscitelli, P.A.
318 North Calhoun Street
Tallahassee, Florida 32301

Mike Piscitelli, Esquire
Vezina, Lawrence & Piscitelli
350 East Las Olas Boulevard, Suite 1130
Fort Lauderdale, Florida 33301

James C. Myers, Clerk
Department of Transportation
Haydon Burns Building, Mail Station 58
605 Suwannee Street
Tallahassee, Florida 32399-0450

Pamela Leslie, General Counsel
Department of Transportation
Haydon Burns Building, Mail Station 58
605 Suwannee Street
Tallahassee, Florida 32399-0450

Thomas F. Barry, Secretary
Department of Transportation
Haydon Burns Building
605 Suwannee Street
Tallahassee, Florida 32399-0450