

## Bidding Notes / Plan Set Clarifications and Modifications as of 8/14/2023

1. The contractor must apply for and obtain a Public Works Right-of-Way Use Permit for the work in the right of way at SE 8<sup>th</sup> Avenue.
2. Sheet C020 - Demolition Note #17: Note is incorrect. Call the Urban Forestry Inspector at 352-393-8621
3. Bollards: Replace the six DuMor bollards shown on sheets L1.2, L2.0 and L2.1 with two Bollard Solutions Retractable Bollards:

Bollard Solutions, LLC

Retractable Bollard – Stainless Steel with two yellow stripes

4.5" diameter, 36" tall

Bollards shall be installed per manufacturer's recommendations.

<https://www.bollardsolutions.com/retractable-manual-bollards/>



And four Bollard Solutions Steel Pipe Fixed Bollards:

Bollard Solutions, LLC

1/8" Brown Bollard Sleeves

Primed Steel Pipe Bollards – 4.5"x.237x5'

Bollards shall be embedded in concrete per manufacturer's recommendations.

<https://www.bollardsolutions.com/steel-pipe-fixed-bollards/>



4. For the 2" x 6" Lumber .31CA-C is an approved alternative to .60 lbs/cu-ft CCA PT. Please note that the fence rails are 2"x6" lumber (not 2"x4"). Please note that the 4x6 fence posts are to be notched. Please see sheet detail #1 on sheet L2.2

5. E911 addresses have been assigned to each park entrance: 2099 SE 8<sup>th</sup> AVE and 2109 SE 10<sup>th</sup> PL

6. Question: What's the supervision requirement on the job? A full time superintendent?

Answer: Please see Article 7.02 of the Standard General Conditions. At all times during the progress of the Work, Contractor shall assign a competent resident superintendent who will not be replaced without written notice to Owner and Project Manager except under extraordinary circumstances. The superintendent must speak and understand English.

7. Question: When are you hoping to start?

Answer: Late October to early November.

8. Question: How can we request substitute items to be approved?

Answer: Send as a written request. Please see Article 10 - SUBSTITUTE AND "OR EQUAL" ITEMS of the Instructions to Bidders for how to make a request.

9. Question: On the plans, the type of rock on the trail and the depth was not specified in the breakdown; it has the size but doesn't provide the composition. Do you want granite, or recycled material....?

Answer: The stone aggregate pathway shall be 4" deep. Please utilize granite #57 stone (available locally from Conrad Yelvington) in lieu of the originally specified ¼" to ½" stone aggregate. Recycled concrete will not be accepted as a substitute material. See below for contact information for Terry Pinney:

Terry Pinney  
Lead Scale - Gainesville (#400)



Conrad Yelvington Distributors  
A CRH Company  
7605 NW 13TH Street  
Gainesville FL 32653  
O# (352)336-5049  
C# (863)449-1188  
terry.pinney@cydi.com  
www.cydi.com



10. Question: On playground mulch, the plans say 6", but at schools and daycares the Health Department usually wants 12".

Answer: The playground standard does not apply to the adult fitness equipment. We do have some play equipment, and want to abide by the manufacturer's recommendations. As per ASTM recommendations, there is not a minimum depth, it's based upon the height of the equipment itself. Which means you need to refer back to the manufacturer's recommendation for what that is. But, they follow the standard of the ASTM. The Health Department standards are not applicable; this is a national standard. It's not a law, by the way, it's a standard. For the engineered wood fiber mulch, the plan set specifies on sheet L2.0 "install per Manufacturer's Specifications, Depth of mulch for Fall Zones to be Coordinated with Playground Manufacturer."

11. Question: And you've specified EWF, right? So it has to be specified for playgrounds. Can't use pine bark or ground up leaf debris, and not wood chips; it has to be EWF.

Answer: Correct.

12. Question: During construction, will we be able to close the site to the public in its entirety?

Answer: Yes. The contractor will need to protect the construction site. The contractor can restrict access to the area as this is currently a storm water management facility and not a park.

13. Question: Are there restricted work hours for this project?

Answer: No. Just be in compliance with the City's noise ordinance.

14. Question: Is there a budget for this project? If so, what is it?

Answer: The engineer's estimate of probable costs for this project is \$350,000.

15. Question: Can you provide an Evidence of Authority form? See item B in Article 7, 7.01, page 5 of 6 of the Qualifications Statement?

Answer: There is not a form; Evidence of Authority to bind your company should be in your company's bylaws, and should name specific individuals authorized to sign on behalf of the company.

16. Question: Is the SunBiz documentation sufficient as evidence of bidder's authority to do business in Florida?

Answer: Yes it is.

17. Question: Could you please provide more details about the signage proposed on C100?

Answer: The City of Gainesville is responsible for designing, producing and installing the "proposed park information signs" and "proposed pond signs" identified on sheet C1.00. The proposed playground and fitness signs are to be purchased from Kompan (the playground equipment manufacturer) and installed by the contractor.

18. Question: On C200, Maintenance Notes state "The City of Gainesville will be the entity responsible for the maintenance of the existing stormwater management system". Beyond tree barricades and plantings shown, do we have any work in the existing basin?

Answer: Please see erosion control note #11 on sheet C005. The Public Works Department performs routine maintenance on these stormwater management facilities. If the contractor were to deposit sediment into the ponds during construction they would need to remediate the ponds accordingly. No additional work within the basins is included within this project's scope of work.

19. Question: Can you confirm that the awarded GC is not responsible when it states “Note: Existing trees which are too close to the existing sanitary line shall be removed by others”?

Answer: That is correct. The City’s Tree Team will be removing these 3 trees prior to construction.

20. Question: Tremron has discontinued all column caps, including the WC21851 shown on L2.0. Will Cement Precast Products, a local Gainesville company, be an approved replacement manufacturer for the entrance column caps?

Answer: Yes.

21. Question: Will we have access to an existing site survey to identify the monuments and benchmarks we are protecting.

Answer: Yes.

22. Question: General Note 9 on C005 states that the contractor is required to secure an FDEP NDPES permit. Can you confirm we are required to secure this permit?

Answer: Yes.

23. Question: Are we required to contract a certified FDEP FSESCI Inspector? Will the City be contracting one to inspect our site?

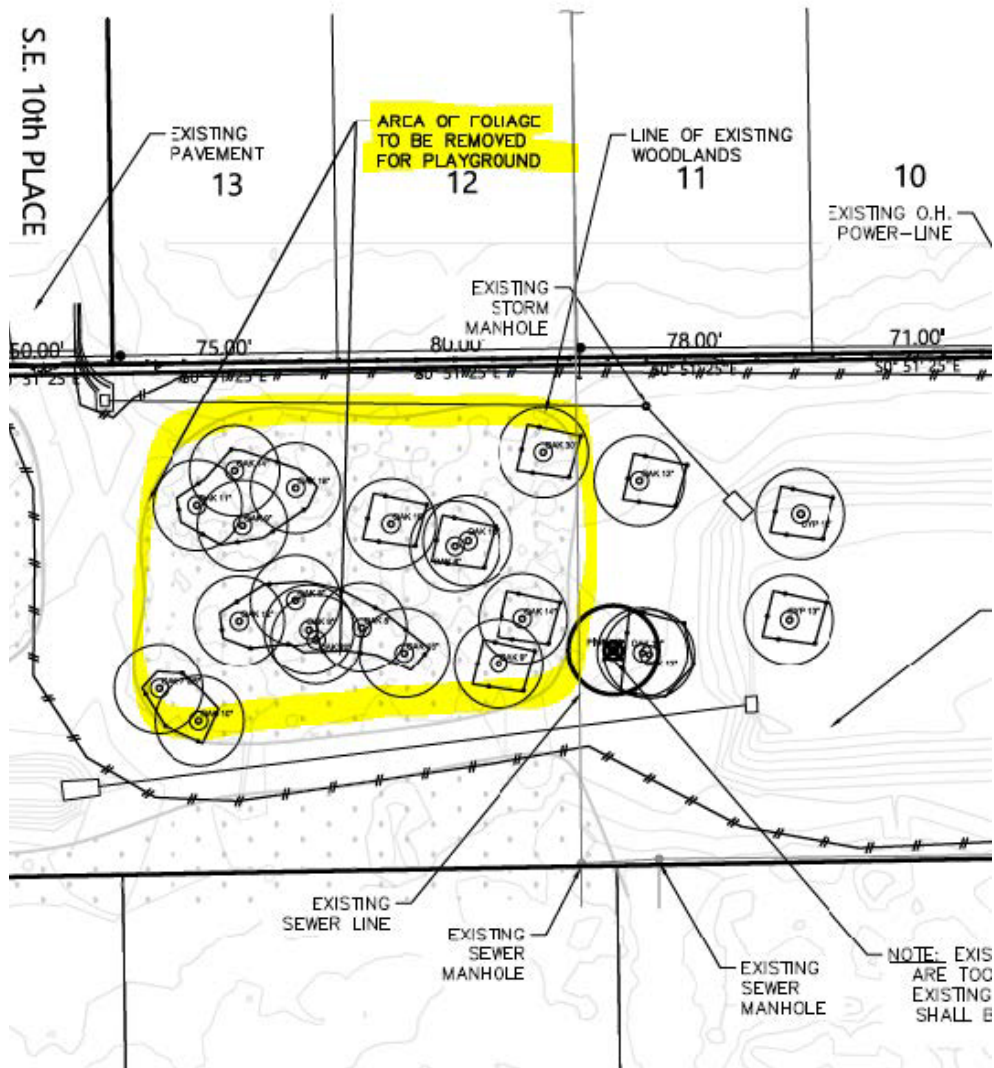
Answer: Yes, the contractor is required to have a Florida Stormwater, Erosion, and Sedimentation Control Inspector (FSESCI) qualified team member who can perform E&S inspections; this certification can be obtained after award of contract but prior to the start of work. Many city staff are FSESCI qualified but the contractor must perform this service for themselves. Available classes can be found here: <https://www.fsesci.com>

24. Question: Paving, Grading, and Drainage Note 5 on C005 states “contractor must review and maintain a copy of the Environmental Resource Permit”. Can you confirm we will be required to secure this permit?

Answer: Please see the attached Environmental Resource Permit. This permit was secured in 1998. The modifications being made as part of this project do not require an ERP modification. The City’s Public Works Department will continue to maintain the stormwater management facility.

25. Question: Can you please clarify what is meant by the note “Area of Foliage to be Removed for the Playground” on sheet C020?

Answer: All understory shall be removed and trees shall be limbed up at least 6’ to provide clear sight lines and higher as needed for tree limbs that are in conflict with the play and fitness equipment. Tree smaller than 2” in diameter shall be removed in this area (see next page):



26. Will the playground be included in this project?

Answer: Yes, the City desires to have the playground constructed as part of this project. **Please make sure that you include the playground in your base bid amount.** The playground is not being evaluated as an add alternate. Is it part of the project.

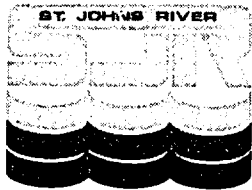
27. Is the park considered ADA accessible?

Answer: The City desires to make the park's main features, the adult fitness equipment and small playground, accessible to all. In order to do this the contractor shall install 250 linear feet of geocell grid ([AGTEC GEOCELL GROUND GRID 4 INCH, 8.4FT X 27.4FT, STANDARD DEPTH – CELLULAR CONFINEMENT, GRAVEL DRIVEWAY, FARM MUD CONTROL, GRASS PARKING, ROAD PAVER](#)) or approved equivalent, installed per the manufacturer's recommendations with [18" J-hook rebar](#) (18 stakes per geocell) from the park entrance at SE 10<sup>th</sup> Place along the southern pathway to the playground and adult fitness equipment.



# Permit with conditions 1728





**WATER  
MANAGEMENT  
DISTRICT**

Henry Dean, Executive Director  
John R. Wehle, Assistant Executive Director

**POST OFFICE BOX 1429**

**PALATKA, FLORIDA 32178-1429**

TELEPHONE 904-329-4500      SUNCOM 804-880-4500  
TDD 904-329-4450      TDD SUNCOM 860-4450  
FAX (Executive) 329-4125      (Legal) 329-4485      (Permitting) 329-4315      (Administration/Finance) 329-4508

618 E. South Street  
Orlando, Florida 32801  
407-897-4300  
TDD 407-897-5960

7775 Baymeadows Way  
Suite 102  
Jacksonville, Florida 32256  
904-730-6270  
TDD 904-448-7900

**SERVICE CENTERS**

**PERMITTING:**  
305 East Drive  
Melbourne, Florida 32904  
407-984-4940  
TDD 407-722-5368

**OPERATIONS:**  
2133 N. Wickham Road  
Melbourne, Florida 32935-8109  
407-752-3100  
TDD 407-752-3102

March 6, 1998

CITY OF GAINESVILLE  
ATTN STEWART E. PEARSON  
P. O. BOX 490  
GAINESVILLE, FL 32602

SUBJECT: Permit Number 40-001-0133G-ERP

Dear Sir/Madam:

Enclosed is your general permit as authorized by the staff of the St. Johns River Water Management District on March 6, 1998.

This permit is a legal document and should be kept with your other important documents. The attached MSSW/Stormwater As-Built Certification Form should be filled in and returned to the Palatka office within thirty days after the work is completed. By so doing, you will enable us to schedule a prompt inspection of the permitted activity.

In addition to the MSSW/Stormwater As-Built Certification Form, your permit also contains conditions which require submittal of additional information. All information submitted as compliance to permit conditions must be submitted to the Palatka office address.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction for this work.

Please be advised that the District has not published a notice in the newspaper advising the public that it is issuing a permit for this proposed project. Publication, using the District form, notifies members of the public (third parties) of their rights to challenge the issuance of the general permit. If proper notice is given by publication, third parties have a 14 day time limit on the time they have to file a petition opposing the issuance of the permit. If you do not publish, a party's right to challenge the issuance of the general permit extends for an indefinite period of time. If you wish to have certainty that the period for filing such a challenge is closed, then you may publish, at your own expense, such a notice in a newspaper of general circulation. A copy of the form of the notice and a list of newspapers of general circulation is attached for your use.

William M. Segal, CHAIRMAN  
MAITLAND

Dan Roach, VICE CHAIRMAN  
FERNANDINA BEACH

James T. Swann, TREASURER  
COCOA

Otis Mason, SECRETARY  
ST. AUGUSTINE

Kathy Chinoy  
JACKSONVILLE

Griffin A. Greene  
VERO BEACH

James H. Williams  
OCALA

Patricia T. Harden  
SANFORD

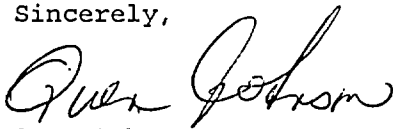
Reid Hughes  
DAYTONA BEACH



In the event you sell your property, the permit can be transferred to the new owner, if we are notified by you within thirty days of the sale. Please assist us in this matter so as to maintain a valid permit for the new property owner.

Thank you for your cooperation and if this office can be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Quen Johnson".

Quen Johnson, Data Control Technician  
Permit Data Services Division

Enclosures: Permit with As-built Certification Form  
Notice of Rights  
List of Newspapers for Publication

cc: District Files  
Lori Dowdy  
Attorney: N/A  
BLUM, SCHUMACHER & ASSOCIATES, INC.  
ATTN RICHARD R. BLUM, P.E.  
4923 NW 27TH COURT  
GAINESVILLE, FL 32606

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT  
Post Office Box 1429  
Palatka, Florida 32178-1429

PERMIT NO. 40-001-0133G-ERP

DATE ISSUED March 6, 1998

PROJECT NAME: SE 8TH AVENUE

A PERMIT AUTHORIZING:

CONSTRUCTION AND OPERATION OF A SURFACE WATER MANAGEMENT SYSTEM  
CONSISTING OF A ROAD EXTENSION THAT WILL BE SERVED BY ONE DRY RETENTION  
AND ONE WET DETENTION SYSTEM.

LOCATION:

Section 03, Township 10 South, Range 20 East  
Alachua County

ISSUED TO:  
(owner)

CITY OF GAINESVILLE  
P. O. BOX 490  
GAINESVILLE, FL 32602

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This Permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated March 6, 1998

AUTHORIZED BY: St. Johns River Water Management District

Department of Resource Management

By: \_\_\_\_\_

(DIRECTOR)

JEFF ELLEDGE

"EXHIBIT A"

CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 40-001-0133G-ERP

CITY OF GAINESVILLE

DATED MARCH 6, 1998

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.
4. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
5. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.

6. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40C-4.900(3) indicating the actual start date and the expected completion date.
7. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40C-4.900(4). These forms shall be submitted during June of each year.
8. For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subsections 7.1.1 through 7.1.4 of the Applicants Handbook: Management and Storage of Surface Waters, must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of the Applicants Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.
9. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.
10. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing As Built Certification Form 40C-1.181(13) or 40C-1.181(14) supplied with



this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be certified on the as-built drawings:

- A. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
  - B. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
  - C. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
  - D. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
  - E. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
  - F. Existing water elevation(s) and the date determined; and
  - G. Elevation and location of benchmark(s) for the survey.
11. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of general condition No. 9 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with subsections 7.1.1 through 7.1.4 of the Applicants Handbook: Management and

Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to section 7.1 of the Applicants Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.

12. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior to implementation so that a determination can be made whether a permit modification is required.
13. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and chapter 40C-4 or chapter 40C-40, F.A.C.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.
16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of section 40C-1.612, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to the sale, conveyance or other transfer.

17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
20. This permit for construction will expire five years from the date of issuance.
21. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
22. The permittee must submit two copies of an as-built survey of the wetland mitigation areas certified by a registered surveyor or professional engineer showing dimensions, grades, ground elevations, water surface elevations, and species composition, numbers and densities. The as-built must be submitted with the first monitoring report.
23. Within the wetland mitigation areas, non-native vegetation, cattails (*Typha* spp.) and primrose willow (*Ludwigia peruviana*), must be controlled by hand clearing or other methods approved by the District so that they constitute no more than 10% of the areal cover in each stratum.
24. Prior to construction, the permittee must clearly designate the limits of construction on-site. The permittee must advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
25. The wetland mitigation areas must be planted prior to any of the following events (whichever occurs first): issuance of the first certificate of occupancy; use of the infrastructure for its intended use; or transfer of responsibility for operation and maintenance of the system to a local government or other responsible entity.
26. The Permittee must furnish the District with two copies of an annual monitoring report on District form EN-55, for the time period stated in this permits success criteria conditions.

27. Successful establishment of the wetland mitigation area will have occurred when:
  - A. At least 80 percent of the planted individuals in each stratum have survived throughout the monitoring period and are showing signs of normal growth, based upon standard growth parameters such as height and base diameter, or canopy circumference; and,
  - B. At least 80 percent cover by appropriate wetland herbaceous species has been obtained; and,
  - C. Hydrologic conditions generally conform to those specified in the mitigation plan; and,
  - D. The above criteria has been achieved by the end of a 3 year period following initial planting.
28. If successful establishment has not occurred as stated above, the permittee must apply to the District for a permit modification no later than 30 days following the termination of the monitoring period. The application must include a narrative describing the type and causes of failure and contain a complete set of plans for the redesign and/or replacement planting of the wetland mitigation area so that the success criteria will be achieved. Within 30 days of District approval and issuance of the permit modification, the permittee must implement the redesign and/or replacement planting. Following completion of such work, success criteria as stated above or modified by subsequent permit must again be achieved. In addition, the monitoring required by these conditions must be conducted.
29. In the event that 50% or greater mortality of planted wetland species in any stratum within the mitigation area occurs, the Permittee must undertake a remediation program approved by District staff.
30. The operation and maintenance entity shall submit inspection reports to the District two years after the operation phase permit becomes effective and every two years thereafter on District form EN-46. The inspection form must be signed and sealed by an appropriate registered professional.
31. The proposed surface water mangement system must be constructed and operated in accordance with the plans received by the District on February 6, 1998.
32. The proposed wetland enhancement plan must be constructed in accordance with the plans received on February 6, 1998.



# NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District), or may choose to pursue mediation as an alternative remedy under sections 120.569 and 120.57 Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in sections 120.569 and 120.57, Florida Statutes, and Rules 28-106.111 and 28-106.401-.405, Florida Administrative Code. Pursuant to District rule 40C-1.511, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, Highway 100 West, Palatka, Florida 32178-1429 within nineteen (19) days of the District depositing notice of its intent in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of its intent (for those persons to whom the District does not mail actual notice). Such a petition must comply with District rule 40C-1.521, Florida Administrative Code.
2. If the Governing Board took action which substantially differs from the notice of intent to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing. Pursuant to District rule 40C-1.511, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, Highway 100 West, Palatka, Florida 32178-1429, within nineteen (19) days of the District depositing notice of final agency action the the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of its final agency action (for those persons to whom the District does not mail actual notice). Such a petition must comply with District rule 40C-1.521, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Sections 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Section 40C-1.521(2), Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Section 40C-1.521(2), Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon delivery of the petition to the District Clerk at the District headquarters in Palatka, Florida. (Section 40C-1.013, Florida Administrative Code)

6. Failure to file a petition for an administrative hearing, within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Section 40C-1.511, Florida Administrative Code)
7. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, and Chapter 40C-1, Florida Administrative code.
8. An applicant with a legal or equitable interest in real property who believes that a District permitting action is unreasonable or will unfairly burden the use of his property, has the right to, within 30 days of receipt of notice of the District's intent to grant or deny a permit application, apply for a special master proceeding under section 70.51, Florida Statutes, by filing a written request for relief at the office of the District Clerk located at District headquarters, Highway 100 West, Palatka, Florida 32178-1429. A request for relief must contain the information listed in subsection 70.51(6), Florida Statutes.
9. A timely filed request for relief under section 70.51, Florida Statutes, tolls the time to request an administrative hearing under paragraph no. 1 or 2 above. (Paragraph 70.51(10)(b), Florida Statutes) However, the filing of a request for an administrative hearing under paragraph no. 1 or 2 above waives the right to a special master proceeding. (Subsection 70.51(10)(b), Florida Statutes)
10. Failure to file a request for relief within the requisite time frame shall constitute a waiver of the right to a special master proceeding. (Subsection 70.51(3), Florida Statutes)
11. Any substantially affected person who claims that final action of the District constitutes an unconstitutional taking of property without just compensation may seek review of the action in circuit court pursuant to Section 373.617, Florida Statutes, and the Florida Rules of Civil Procedures, by filing an action in circuit court within 90 days of the rendering of the final District action, (Section 373.617, Florida Statutes).
12. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the district court of appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
13. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land

and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy on the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.

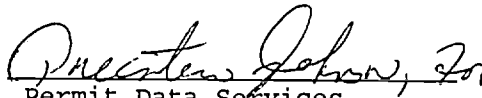
14. For appeals to the District courts of appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
15. Failure to observe the relevant time frames will result in waiver of that right to review.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

CITY OF GAINESVILLE  
ATTN STEWART E. PEARSON  
P. O. BOX 490  
GAINESVILLE, FL 32602

at 4:00 p.m. this 6 day of MARCH, 1998

  
Permit Data Services  
Director, Gloria Lewis

St. Johns River Water Management District  
Post Office Box 1429  
Palatka, FL 32178-1429  
(904) 329-4566

40-001-0133G-ERP