

**Section I**  
**Notice of Development of Proposed Rules  
and Negotiated Rulemaking**

**ADMINISTRATION COMMISSION**

RULE NO.:       RULE TITLE:  
28-18.400       Comprehensive Plan  
PURPOSE AND EFFECT: The Commission intends to amend Rule 28-18.400, F.A.C., Comprehensive Plan, to remove obsolete provisions regarding prior work program requirements and adding new work program requirements concerning canal restoration in the City of Marathon, Florida.

SUBJECT AREA TO BE ADDRESSED: Florida Keys Area of Critical State Concern.

RULEMAKING AUTHORITY: 380.0552(9), 380.05(22), FS.  
LAW IMPLEMENTED: 380.0552, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Powell, Regional Program Administrator Area of Critical State Concern, Department of Economic Opportunity, 107 East Madison Street, MSC #160, Tallahassee, Florida 32399, (850)717-8504, Barbara.Powell@deo.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**ADMINISTRATION COMMISSION**

RULE NO.:       RULE TITLE:  
28-19.310       Comprehensive Plan  
PURPOSE AND EFFECT: The Commission intends to amend Rule 28-19.310, F.A.C., Comprehensive Plan, to remove obsolete provisions regarding prior work program requirements and adding new work program requirements concerning canal restoration in Islamorada, Village of Islands, Florida.

SUBJECT AREA TO BE ADDRESSED: Florida Keys Area of Critical State Concern.

RULEMAKING AUTHORITY: 380.0552(9), 380.05(22), FS.  
LAW IMPLEMENTED: 380.0552, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Powell, Regional Program Administrator Area of Critical State Concern, Department of Economic Opportunity, 107 East Madison Street, MSC #160, Tallahassee, Florida 32399, (850)717-8504, Barbara.Powell@deo.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**ADMINISTRATION COMMISSION**

RULE NO.:       RULE TITLE:  
28-20.140       Comprehensive Plan

PURPOSE AND EFFECT: The Commission intends to amend Rule 28-20.140, F.A.C., Comprehensive Plan, to revise the timing of the adoption of the Tier Zoning Overlay Maps and System, remove obsolete provisions regarding prior work program requirements, and adding new work program requirements concerning canal restoration in Monroe County, Florida.

SUBJECT AREA TO BE ADDRESSED: Florida Keys Area of Critical State Concern.

RULEMAKING AUTHORITY: 380.0552(9), 380.05(22), FS.  
LAW IMPLEMENTED: 380.0552, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Powell, Regional Program Administrator Area of Critical State Concern, Department of Economic Opportunity, 107 East Madison Street, MSC #160, Tallahassee, Florida 32399, (850)717-8504, Barbara.Powell@deo.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.:       RULE TITLE:  
40D-8.041       Minimum Flows

PURPOSE AND EFFECT: The amendment modifies the language describing assessment of status of the previously established minimum flows pursuant to Section 373.042, F.S., for the Crystal River/Kings Bay System. The minimum flows are used in the District’s permitting and resource management and development programs.

**SUBJECT AREA TO BE ADDRESSED:** Amendment to language describing status assessment of the previously established minimum flows for the Crystal River/Kings Bay System located within Citrus County, Florida.

**RULEMAKING AUTHORITY:** 373.044, 373.113, 373.171 FS.

**LAW IMPLEMENTED:** 373.036, 373.042, 373.0421, 373.086, 373.709 FS.

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 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office, (352)796-7211, ext. 4706; 1(800)423-1476 (FL only), ext. 4706 or email to ADACoordinator@swfwmd.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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Doug Leeper, MFL Program Lead, SWFWMD, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4272.

(TS2020022)

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

**RULE NO.:**           **RULE TITLE:**

40D-8.041           Minimum Flows

**PURPOSE AND EFFECT:** The amendment modifies the language describing assessment of status of the previously established minimum flows pursuant to Section 373.042, F.S., for the Pithlachascotee River. The minimum flows are used in the District’s permitting and resource management and development programs.

**SUBJECT AREA TO BE ADDRESSED:** Amendment to language describing status assessment of the previously established minimum flows for the Pithlachascotee River located within Pasco County, Florida.

**RULEMAKING AUTHORITY:** 373.044, 373.113, 373.171 FS.

**LAW IMPLEMENTED:** 373.036, 373.042, 373.0421, 373.086, 373.709 FS.

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 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office, (352)796-

7211, ext. 4706; 1(800)423-1476 (FL only), ext. 4706 or email to ADACoordinator@swfwmd.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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Doug Leeper, MFL Program Lead, SWFWMD, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4272.

(TS2020023)

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

**RULE NOS.:**           **RULE TITLES:**

- 40E-7.668           Policy
- 40E-7.669           Definitions
- 40E-7.670           Competitive Solicitation Preferences
- 40E-7.671           District Implementation
- 40E-7.672           Compliance
- 40E-7.673           Certification Eligibility - Small Business Enterprise
- 40E-7.674           Certification Review Procedures
- 40E-7.675           Recertification Review Procedures
- 40E-7.676           Decertification
- 40E-7.677           Reciprocity
- 40E-7.678           Administrative Hearings

**PURPOSE AND EFFECT:** The purpose of this amendment is to further clarify and define the District's Small Business Enterprise Contracting Program, which supports small businesses.

**SUBJECT AREA TO BE ADDRESSED:** Rules 40E-7.668-40E-7.678 F.A.C., regarding the District's Small Business Enterprise Contracting Program to modify and refine definitions and to clarify certain aspects of the rule as it relates to doing business with the District.

**RULEMAKING AUTHORITY:** 373.113, 373.044 FS.

**LAW IMPLEMENTED:** 373.1135 FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**

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 5 days before the workshop/meeting by contacting: The South Florida Water Management District Clerk's office of the South Florida Water Management District

located at 3301 Gun Club Road, West Palm Beach, FL 33416, 1(800)432-2045 ext. 6805 or (561)682-6805. 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Johanna Labrada, Procurement Bureau Chief, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045 ext. 2520 or (561)682-2520, or by email at jlabrad@sfwmd.gov For Procedural questions please contact Charron Follins Senior Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045 ext. 6293 or (561)682-6293 or by email cfollins@sfwmd.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-7.668 Policy.

(1) The rules under this Small Business Enterprise Contracting Program (the “Program”) establish policies and procedures designed to help small businesses, including those owned by women and minorities, to participate in the South Florida Water Management District’s (“District”) procurement and contract activities.

(2) It is the purpose of the Program to spur economic development and support small businesses, including woman-owned and minority-owned businesses, to successfully expand in the marketplace.

(3) The District shall annually evaluate the progress of this Program and determine whether the specific provisions require any modification, expansion, and curtailment.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History—New 8-3-06 Amended\_\_\_\_\_.

40E-7.669 Definitions.

(1) “Affiliate Business” means a business that is a S-subsidiary of or owned in part by another business concern. Entities are affiliates of each other when one impacts the other by sharing resources, officers, or directors that have a percentage of ownership, or controls or has the power to control the other, or a third party or parties controls or has the power to control both. It does not matter whether control is exercised, so long as the power to control exists.

(2) “Applicant” ~~an~~ is defined as the business entity that is seeking District Certification or Recertification. A business is any entity which complies with all statutes and regulations, specifically, any corporation, limited liability company,

partnerships, general partnerships, limited partnerships, other for-profit entities, engaging in commerce, including but not limited to manufacturing or a service with a federal tax identification number.

(3) “Certification” or “Recertification” means the process by which the District determines that a business meets the District’s criteria for a Small Business Enterprise (SBE).

(4) “Commodity Code” A numeric system designed to list commodities or services by classes and sub-classes. A numeric identifier of supplies, materials, goods, merchandise, equipment or other tangible personal property (purchase or lease), including ~~the~~ contractual services.

(5) “Decertification” is the process in which the District shall determine that an SBE no longer complies with the District Certification criteria.

(6) “District Small Business Enterprise” means a business certified by the District in either construction, commodities, services or a combination thereof whose 3-year average gross receipts, including Affiliate Businesses, shall not exceed \$13 million if the business provides construction, \$5 million if the business provides commodities, and \$6 million if the business provides services. A District SBE is registered to do business with the State of Florida through the Division of Corporations and holds the appropriate license(s) required by law to do business in the state of Florida.

~~(7)(5)~~ “Government Agency” means any state, county, regional or local government in Florida.

~~(8)(6)~~ “Gross Receipts” means the total sales for the Applicant as specified in its Federal tax return or if it is a new company which has not filed a Federal tax return, in its audited financial statement before deductions for returned items, allowances, and discounts.

~~(9)(7)~~ “Industry Categories” means construction, commodities and services.

~~(10)(8)~~ “Non SBE Prime” means a business not currently certified by the District as a Small Business Enterprise which submits a bid or proposal for the purpose of being awarded a legally-binding ~~legally binding~~ agreement as a Prime Contractor for the performance of work at a mutually agreed-upon ~~agreed-upon~~ price in accordance with agreed-upon ~~agreed-upon~~ terms and conditions with the District.

~~(11)(9)~~ “Prime Contractor” means any individual or contracting entity with whom the District has entered into a legally binding agreement for performance of work at a mutually agreed-upon ~~agreed-upon~~ price in accordance with agreed-upon ~~agreed-upon~~ terms and conditions.

(12) “Reciprocity” means the SBE Certification by the District of an Applicant who is actively certified by another Florida government agency.

~~(13)~~(10) “Responsible” means a business that is capable in all respects of fully performing the contract requirements and which has the integrity and reliability that will assure good faith performance.

~~(14)~~(11) “Responsive” with respect to bidders, bids, or proposals means a business’s bid or proposal conforms in all material respects to the invitation to bid or request for proposal including all SBE goals set forth. ~~means a business’s bid or proposal conforms in all material respects to the invitation to bid or request for proposal.~~

~~(12)~~ “District Small Business Enterprise (SBE)” means a business certified by the District, whose three (3) year average gross receipts, including affiliates, shall not exceed \$13 million if the business provides construction, \$5 million if the business provides commodities, and \$6 million if the business provides services. Additionally, a District Small Business Enterprise is licensed to do business in the State of Florida if the business requires a license.

~~(15)~~(13) “SBE Prime” means a business certified by the District as a small business that submits a bid or proposal for the purpose of being awarded a legally binding agreement as an SBE Prime Contractor for the performance of work at a mutually ~~agreed-upon~~ agreed-upon price in accordance with ~~agreed-upon~~ agreed-upon terms and conditions with the District.

~~(16)~~ “SBE Subcontractor” means a business certified by the District having a direct contract with a contractor or with any other Subcontractor for the performance of a part of the work.

~~(17)~~ “SBE Utilization Plan” means Form No. 0956 Small Business Enterprise Subcontractor Participation Schedule and Form No. 0957, Statement of Intent to Perform as a Small Business Enterprise Subcontractor.

~~(18)~~ “Subsidiary” is defined as a company that is owned or controlled by another company. Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History—New 8-3-06, Amended 8-29-07, 8-29-13 Amended \_\_\_\_\_.

40E-7.670 Competitive Solicitation Preferences.

The Small Business Enterprise Contracting Rule in this part provides for ~~2~~ three types of Competitive Solicitation Preferences designed to assist small businesses. ~~The Bid Equalization, Sheltered Market and Subcontracting Requirements are outlined below. The District may waive or adjust SBE requirements in any solicitation.~~

~~(1) Bid Equalization. This process enables the District to award a contract to an SBE Prime even though the SBE Prime was not the low bidder as long as the SBE Prime’s bid was within a predetermined percentage of the lowest Non SBE~~

~~Prime’s responsive, and responsible bid. Bid Equalization preferences are used only in construction solicitations.~~

~~Prior to solicitation, the District must determine whether to use the Bid Equalization preference. Should the District choose to use this preference, the District must first obtain the District engineer’s estimate for the construction work being contemplated in the solicitation. Based on the estimate, the District will establish the percentage preference to apply in the solicitation.~~

~~The percentages will be applied as follows:~~

~~(a) For contracts with an estimated value of \$2,000,000 or more, the District shall implement a maximum bid adjustment of one percent (1%).~~

~~(b) For contracts with an estimated value of more than \$500,001 but less than \$2,000,000, the District shall implement a maximum bid adjustment of five percent (5%).~~

~~(c) For contracts valued at \$500,000 or less, the District shall implement a maximum bid adjustment of ten percent (10%).~~

~~(d) The solicitation language shall clearly state that based on the District’s estimate, a certain percentage preference will be applied to an SBE Prime, if the SBE Prime meets all of the requirements for the preference. For example, if the District engineer’s estimate for a construction project is \$100,000, the District shall establish a 10% preference for an SBE Prime. If a Non SBE Prime is the lowest responsive and responsible bidder at \$100,000 and the next lowest responsive and responsible bid is by an SBE Prime at \$103,000, the SBE would be provided the ten percent preference and be awarded the contract at \$103,000. The SBE Prime’s bid was only \$3,000 greater than the Non SBE Prime. Therefore the SBE Prime was 3% over and well within 10% of the lowest Non SBE Prime’s responsive and responsible bid and able to take advantage of the preference to obtain the contract award.~~

~~(e) The Bid Equalization does not apply to bids let under the Sheltered Market Program or when all bids received are from SBE Primes.~~

~~(17)~~(2) Sheltered Market Program. The District may provide for sheltered markets to allow only SBE’s to bid on designated solicitations. In order to designate a sheltered market, the District must identify at least 3 SBEs available to perform work within the industry identified in the solicitation.

~~(2)~~(3) Subcontracting Requirements.

(a) Bids – The District shall set subcontracting goals for all bids based on availability of vendors registered with the District, including SBE firms able to perform work within specific Commodity Codes. The SBE goals shall be applied as a percentage of the total contract value to be assigned to SBE firms.

The maximum SBE goal that will be applied to any solicitation will be 25%. When an SBE goal is set bidders shall provide work to one or more SBEs in order to meet the goal. At the time of submittal of its bid, the bidder shall identify all SBE firms which will be utilized as subcontractors, by using Form No. 0956, "Small Business Enterprise Subcontractor Participation Schedule" effective (August 29, 2013) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03065>). All bids submitted where SBE participation is required, shall include Form No. 0957, "Statement of Intent to Perform as a Small Business Enterprise Subcontractor" effective (August 29, 2013) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03066>). ~~This Form No. 0957 shall be signed by the SBE subcontractor, Form Nos. 0956 and 0957, together called the SBE Subcontractor Utilization Plan, must reflect the parties' intent to establish a business relationship as well as the type of work and percentage of work that the SBE subcontractor will perform. Failure to submit any of the information as required on Form Nos. 0956 and 0957 herein shall lead to the bid being deemed non-responsive. Forms Nos. 0956 and 0957 are incorporated by reference herein and are available at no cost by contacting the South Florida Water Management District Clerk's Office, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800) 432-2045, ext. 68056436, or (561) 682-6805682-6436.~~

Any bidder failing to meet the established goal shall be deemed non-Responsive ~~nonresponsive. If an SBE Prime intends to subcontract work to an SBE subcontractor, the SBE Prime must submit the aforementioned forms at the time of submitting its bid or be deemed non-responsive. If the prime bidder is an SBE Prime, only Form 0956 must be submitted with its bid. intends to perform 100% of the work, the SBE Prime does not have to submit the aforementioned forms.~~

(b) Standard Proposals – For solicitations where a contract is awarded based on an evaluation criteria, and where the scope of work is clearly defined, the District shall determine subcontracting goals for each solicitation based on availability of SBE firms as stated above in Section 23(a). The maximum goal that will be applied to any solicitation will be 25%. The goals shall be applied as a percentage of the total contract value to be assigned to SBE firms. Any proposer failing to meet the established goal shall be deemed non-Responsive. At the time the proposal is submitted, the proposer shall identify all SBE firms (if any) which will be utilized as subcontractors, by using Form No. 0956, "Small Business Enterprise Subcontractor Participation Schedule," incorporated by reference in paragraph (23)(a) herein. All proposals with SBE subcontractor participation shall include Form No. 0957, "Statement of Intent to Perform as an Small Business Enterprise Subcontractor," also incorporated by reference in paragraph (23)(a) herein.

~~Form 0957 This form shall be signed by the SBE subcontractor. Form Nos. 0956 and 0957 together called Tthe SBE Subcontractor Utilization Plan must reflect the parties' intent to establish a business relationship as well as the type of work and percentage of work that the SBE subcontractor will perform. If the prime proposer is an SBE Prime only Form No. 0956 must be submitted with its bid. If an SBE Prime intends to subcontract work to an SBE subcontractor, the SBE Prime must submit the aforementioned forms at the time of submitting its proposal. Any non SBE Prime contractor who fails to meet the established goal shall be deemed non responsive.~~

(c) Work Order Proposals – For solicitations where a contract is awarded based on evaluation criteria and where the scope of work is not clearly defined resulting in work order contracts, such solicitations shall require proposers to commit to SBE goals assigned to individual work orders issued throughout the term of the contract. will not contain a goal, but shall require proposers to commit to goals assigned to individual work orders issued throughout the term of the contract. The goal for individual work orders will be based on availability of SBE firms as provided stated above in paragraph (23)(a). The maximum goal that will be applied to any work order will be 25% unless the Prime Contractor has failed to meet prior SBE goals, in which case the maximum goal may exceed 25%. At the time the proposal is submitted, the proposer shall identify all proposed SBE firms that will be utilized as subcontractors.

At the time a work order with an SBE goal is assigned, the Prime Contractor shall submit a cost proposal, and identify all SBE subcontractors and the percentage of work that the SBE subcontractor(s) will perform by using Form No. 0956, "Small Business Enterprise Subcontractor Participation Schedule," incorporated by reference in paragraph (23)(a) herein. All cost proposals shall also include Form No. 0957, "Statement of Intent to Perform as a Small Business Enterprise Subcontractor," also incorporated by reference in paragraph (23)(a) herein. ~~Form No. 0957 This form shall be signed by the SBE subcontractor. A work order will not be executed with a Prime Contractor whose cost proposal does not meet the established goal for that work order. The District may waive or adjust SBE requirements in any solicitation at its discretion. If the District defers the SBE goal, the Prime Contractor will be required to increase SBE participation in subsequent work orders to compensate for the lack or participation in the initial assigned work order. In addition, failure to meet the goal set by the District for an executed work order will result in a breach of contract by the Prime Contractor.~~

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History—New 8-3-06, Amended 8-29-07, 8-29-13 Amended \_\_\_\_\_.

40E-7.671 District Implementation.

No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History—New 8-3-06, Amended 8-29-13.

40E-7.672 Compliance.

The District shall monitor and evaluate Program performance and compliance as follows:

(1) Each District contract shall contain a provision requiring the contractor, during the term of the contract, to comply with, as to tasks and proportionate dollar amounts throughout the term of the contract, all commitments made in their bids or proposals for use of SBEs.

(2) Each District contract shall contain a provision requiring maintenance of records, and information necessary to document compliance with the rules under this Part and shall include the right of the District to inspect such records.

(3) Each District contract shall contain a provision prohibiting any agreements between a contractor and a SBE in which the SBE promises not to provide subcontracting quotations to other respondents or potential respondents.

(4) Prime Contractors must notify the District when the need to add or replace an SBE subcontractor arises and shall provide a completed Form No. 1373, “Small Business Enterprise Subcontractor Revised Participation Schedule” effective August 29, 2013, (~~August 29, 2013~~) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03067>), which contains an explanation of the addition or replacement of the SBE subcontractor. Form 1373 is incorporated by reference herein and a copy can be obtained at no cost by contacting the South Florida Water Management District Clerk’s Office, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800) 432-2045, ext. ~~6805 6436~~, or ~~(561)682-6805 (561)682-6436~~. In addition, a completed Form No. 0957, “Statement of Intent to Perform as a Small Business Enterprise Subcontractor,” incorporated by reference in paragraph 40E-7.670(3)(a), F.A.C., must be submitted if applicable.

(5) Failure of the Prime Contractor to meet its SBE requirements in a District contract will be a factor considered by the District when the District makes its responsibility determinations for future District contract awards and when the District considers whether to place a contractor on the Temporary or Permanent Suspension List under Rule 40E-7.218, F.A.C.

(6) Each District contract awarded with SBE participation shall contain a provision incorporating the rules under this Part by reference and a statement that failure to comply with the requirements of the bid or proposal submitted to the District by a contractor shall be considered a material breach of contract

which may result in suspension or debarment of the firms or individuals involved pursuant to Chapter 40E-7, F.A.C.

(7) If an SBE Prime contractor is in material breach of its contract with the District, as defined in paragraph 40E-7.215(5) F.A.C., the SBE Prime contractor shall be decertified.

(8) If an SBE subcontractor causes Prime Contractor to be in material breach of its contract with the District, as defined in paragraph 40E-7.215(5) F.A.C., including, but not limited to, performance delay, the SBE subcontractor shall be decertified.  
Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History—New 8-3-06, Amended 8-29-13 Amended .

40E-7.673 Certification Eligibility – Small Business Enterprise.

District staff shall have the authority to accept, review, approve, certify, decertify and deny applications for SBE Certification. ~~An Applicant's business~~ must be registered with the District as a vendor prior to submitting an application for Certification.

(1) Applicants ~~businesses~~ shall submit applications for SBE Certification using Form No. 1231, “SBE Certification Application”, effective August 3, 2006, <https://www.sfwmd.gov/sites/default/files/documents/Certification.pdf>, which is hereby incorporated by reference and which can be obtained from the District upon request. Mailing addresses must include the number, name of the street, suite number, if any, city and correct zip code. A post office box will not be acceptable absent a street address.

(2) To establish small business eligibility, ~~that it is a small business~~, the Applicant shall:

(a) Provide documentation to demonstrate that the ~~3- three~~ (3) year average gross receipts of the Applicant, ~~business concern~~, together with its Affiliate Business, ~~affiliates~~, does not exceed \$13 million for Construction, \$5 million for Commodities, and \$6 million for Services. In determining the gross receipts of the business and its Affiliate Business, ~~affiliates~~, the District shall consider the ~~3three (3)~~ federal tax returns filed by the Applicant for the ~~3three (3)~~ years immediately preceding ~~their~~ application submittal. If ~~3 the Applicant has not filed three (3) federal income tax returns have not been filed~~ for the ~~3 three (3)~~ years immediately preceding ~~their~~ application submittal, then the Applicant must submit a financial statement; for any of the ~~3 three (3)~~ years immediately preceding the application in which the Applicant did not file a federal income tax return(s). The financial statement must be prepared by a Certified Public Accountant as defined by Section 473.301, F.S., not employed by the Applicant, but retained for the purpose of preparing financial statements for the Applicant. Applicants in business less than ~~one (1) year shall be to~~ submit an opening balance sheet and income statement for the months in which ~~it was they were~~ in business. The opening

balance sheet and income statement must be submitted on letterhead from the Applicant's Certified Public Accountant.

(b) ~~The Applicant~~ must demonstrate that the business is # is licensed as required by law to do business in the State of Florida if the business requires a license.

(c) ~~An The Applicant shall may only~~ have only 1 one (1) business certified with the South Florida Water Management District.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History—New 8-3-06, Amended.

40E-7.674 Certification Review Procedures.

(1) Upon receipt by the District, all applications for SBE Ceertification shall be screened to ensure appropriate signature and completeness. The application must be signed by the individual with the authority to bind the Applicant.

(2) Within 60 sixty (60) days following receipt of the application, the District will request that the Applicant business to furnish omitted items or additional information, if any. All requested information must be received by the District within 60 sixty (60) days from the date of the request or the Applicant will be deemed ineligible for Ceertification. Applicants may however, re-apply.

(3) Applicants determined eligible shall receive Ceertification as an SBE from District staff. Once certified, ~~an Applicant~~ shall remain certified for a period of 3 three (3) years. If the Applicant does not adhere to the District's SBE Program they will be subject to decertification, unless the applicant fails to follow this rule and is sanctioned pursuant to the rule. The District retains the right to re-evaluate the Ceertification of any business at any time.

(4) Applicants determined ineligible shall receive a notification from the District. Ineligible Applicants receiving this notification of ineligibility shall not be eligible to submit a new applications until for 180 days after District notification, the date of the notice denying certification.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History—New 8-3-06, Amended 8-29-07, 8-29-13, Amended.

40E-7.675 Recertification Review Procedures.

(1) Applications for Recertification shall be submitted using Form No., 1232 "SBE Application for Recertification", effective August 3, 2006, [https://www.sfwmd.gov/sites/default/files/documents/form%201232%20sbe%20recertification%20application%2007-2006\\_0.pdf](https://www.sfwmd.gov/sites/default/files/documents/form%201232%20sbe%20recertification%20application%2007-2006_0.pdf), which is hereby incorporated by reference and available from the District upon request.

(2) The District may will notify SBEs no later than 60 sixty (60) days before the end of the Ceertification period that the SBE's Ceertification is about to expire. Regardless of notification, SBE is responsible to timely apply for

Recertification. If the Recertification application document is no longer applicable because of changes to the Applicant's business, the SBE shall notify the District in writing of the changes to its company. If the SBE is unable to use the recertification document because of changes to the applicant's business, the SBE shall notify the District in writing of the changes to its company. The District shall determine if the company still complies with the Ceertification criteria set forth in Rule 40E-7.673, F.A.C. Recertification requests must be filed with the District no later than the last effective date of the current Ceertification period.

(3) Upon receipt, all Recertification requests shall be given an initial screening to ensure appropriate signature and completeness. Within 60 sixty (60) days following initial receipt of the Applicant's Recertification request, the District will request the Applicant to furnish omitted or additional information. If the requested information or items are not received by the District within 60 sixty (60) days from the date of the request, the District will deny the application for Recertification.

(4) Recertification shall be granted when the Applicant has complied with recertification and review procedures this rule and substantiates continued eligibility for SBE status.

(5) Applicants deemed eligible shall receive a Recertification letter, stating the length of time for which the business has been re-certified and the specialty areas of the business. The Once re-certified, an Applicant shall remain certified for a period of 3 three (3) years unless the Applicant is decertified. District determines that the applicant no longer meets the eligibility requirement of this Rule. The District retains the right to reevaluate the Ceertification of any SBE business at any time.

(6) Applicants determined ineligible for Recertification shall receive a letter citing which the specific criteria of subsection 40E-7.673, F.A.C., that they failed to meet and advising that they shall not be eligible to submit new applications until 180 days after the date of the notice or the District's final agency order denying Recertification.

(7) If an application for Recertification is timely submitted, an SBE shall remain certified until the District has made a determination concerning eligibility.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History—New 8-3-06, Amended 8-29-13, Amended.

40E-7.676 Decertification.

Decertification is the process by which the District shall take steps to retract a business's certification as an SBE. The Decertification of an SBE shall occur when the District determines that an SBE no longer complies with the District's Ceertification criteria. The District will also Decertify an SBE

if the District learns that the SBE submitted false information in order to obtain SBE Ceertification. The District may also decertify an SBE if the SBE materially breaches its contract with the District as defined in paragraph 40E-7.215(5) F.A.C. Further, an SBE subcontractor will be decertified if it causes a Prime Contractor to materially breach its contract with the District as defined in paragraph 40E-7.215(5) F.A.C., including, but not limited to, performance delay.

(1) District staff shall inform the SBE in writing by certified mail, return receipt requested, of the facts or conduct which formed the basis for Ddecertification.

(2) The Ddecertification notice issued by the District shall contain:

(a) The statutory provisions(s) or rules(s) of the Florida Administrative Code which the District alleges the SBE violated; and

(b) The specific facts or conduct relied upon to justify the Ddecertification; and

(c) A statement that the firm has the right to file a request for an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., within 21 days of receipt of the Ddecertification notice; and

(d) A statement that the Ddecertification shall become conclusive and final agency action if no request for a hearing is filed with the District Clerk’s office within 21 days from receipt of the Ddecertification notice.

(3) If the Applicant firm fails to file a request for a hearing within 21 days after receipt of the notice, the Ddecertification shall become ~~conclusive and~~ final agency action.

(4) If the SBE files a request for an administrative hearing, the SBE firm shall remain certified unless and until a Final Order is issued by the District Ddecertifying the SBE firm after an administrative hearing.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New 8-3-06 Amended.

40E-7.677 Reciprocity Reciprocal Ceertification shall be granted to an Applicant businesses that is which are certified by another other Florida gGovernment agency. Agencies provided that the agency has a small business program, including those owned by women and minorities, and that the applicant business is certified as a small business by that agency. The Applicant shall provide the District with official documentation stating that provides the Ceertification and expiration dates. Once certified, Applicant shall remain certified with the District for a period of 3 years. The District reserves the right to request any additional documentation to verify or clarify the authentication of the information provided.  
Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New 8-3-06, Amended 8-29-13 Amended

40E-7.678 Administrative Hearings.

If an Applicant business believes it has been wrongly denied Ceertification, or Rrecertification, or that it has been inappropriately Ddecertified as an SBE, it may file a request for hearing pursuant to Sections 120.569 and 120.57, F.S., by submitting a petition in accordance with Chapter 28-106, F.A.C., within 21 days of receipt of Notice of Denial of Ceertification or Rrecertification or Notice of Decertification as a District SBE.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.1135 FS. History–New 8-3-06 Amended.

## Section II Proposed Rules

### DEPARTMENT OF EDUCATION

#### Office of Early Learning

RULE NO.:           RULE TITLE:

6M-4.630           Statewide Provider Contract Monitoring  
Tool for the School Readiness Program

**PURPOSE AND EFFECT:** The purpose of the revised rule is to align the school readiness provider contract monitoring tool with the revised school readiness provider contract.

**SUMMARY:** The proposed rule establishes the school readiness monitoring tool for the statewide provider contract.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The office's economic analysis of the adverse impact or potential regulatory costs of the proposed rule does not exceed any of the criteria established in s. 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 1001.213(2), 1002.82(2)(q), FS.

**LAW IMPLEMENTED:** 1002.82(2)(q), 1002.84 (15), 1002.85(2)(h), FS.

**A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

DATE AND TIME: Thursday, May 21, 2020 3:00 p.m. – 4:00 p.m. ET, or at the conclusion of business whichever is earlier.  
 PLACE: via GoToWebinar only. To register for the webinar, please visit:

[http://www.floridaearlylearning.com/statewide\\_initiatives/laws\\_and\\_rules/proposed\\_rules.aspx](http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx)

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 48 hours before the workshop/meeting by contacting: Andrea Barber (850)717-8599; Andrea.Barber@oel.myflorida.com. 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Andrea Barber, School Readiness Analyst, Office of Early Learning, 250 Marriott Dr., Tallahassee, Florida 32399, (850)717-8599; Andrea.Barber@oel.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

6M-4.630 Statewide Provider Contract Monitoring Tool for the School Readiness Program.

(1) The Statewide School Readiness Provider Contracting Monitoring Tool, Form OEL-SR 20M, with Attachment A through D (August 2020) (~~June 2019~~) is hereby adopted and incorporated by reference. A copy of Form OEL-SR 20M including Attachments A-D may be obtained at [http://www.floridaearlylearning.com/oel\\_resources/rules\\_guidance\\_technical\\_assistance.aspx](http://www.floridaearlylearning.com/oel_resources/rules_guidance_technical_assistance.aspx) or from the Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399. The incorporated forms are also available at: <https://www.flrules.org/Gateway/reference.asp?No=Ref-10654>.

(2) All school readiness providers shall be monitored by a coalition using Form OEL-SR-20M. This contract monitoring tool shall also be used by a coalition to monitor a school readiness program provider in response to a parental complaint. For parental complaints, the coalition shall utilize the criteria in the monitoring tool category that relates to the complaint and may monitor additional categories if the coalition deems additional review is appropriate. An early learning coalition may execute and retain this Contract Monitoring Tool electronically in compliance with section 668.50, F.S.

(3) A coalition’s school readiness provider program monitoring plan shall include identifying timelines for annual monitoring of school readiness program providers, documented sample size based on the total of all school readiness providers, regardless of provider type, that adheres to the OEL minimum

annual sample size guidelines found in Attachment B of Form OEL-SR 20M, corrective action plan requirements and resolutions, and additional processes to facilitate program compliance. All amendments of the coalition’s school readiness provider program monitoring plan shall be submitted to the Office of Early Learning prior to execution of that plan in accordance with rule 6M-9.115, F.A.C.

(4) Neither a coalition nor its designated school readiness sub-recipient may omit, supplement, or amend the monitoring criteria identified in the Statewide School Readiness Provider Contract Monitoring Tool. Neither a coalition nor its designated school readiness sub-recipient may include any attachments, addenda, or exhibits to the Statewide School Readiness Provider Contract Monitoring Tool.

Rulemaking Authority 1001.213(2), 1002.82(2)(q) FS. Law Implemented 1002.82(2)(q), 1002.84(15), 1002.85(2)(h) FS. History—New 7-1-15, Amended 3-20-17, 6-25-19,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Katerina Maroney, Deputy Director of Programs and Policy  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shan Goff, Executive Director  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 2020  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 17, 2020

**DEPARTMENT OF EDUCATION**

**Office of Early Learning**

RULE NO.: 6M-4.735  
 RULE TITLE: Early Learning Professional Development Standards and Career Pathways

PURPOSE AND EFFECT: The purpose of the rule is to develop both formal and informal professional development training and course standards for early learning program instructors.

SUMMARY: Formal and informal professional development training and course standards for early learning program instructors.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The office's economic analysis of the adverse impact or

potential regulatory costs of the proposed rule does not exceed any of the criteria established in s. 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.213(2), 1002.995(3), FS.

LAW IMPLEMENTED: 1002.995, FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, May 21, 2020, 1:30 p.m. - 2:30 p.m. EDT or at the conclusion of business, whichever is earlier.

PLACE: Via GoToWebinar only, for which the link may be found at:

[http://www.floridaearlylearning.com/statewide\\_initiatives/laws\\_and\\_rules/proposed\\_rules.aspx](http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx)

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 48 hours before the workshop/meeting by contacting: Katerina Maroney, (850)717-8614 or [Katerina.Maroney@oel.myflorida.com](mailto:Katerina.Maroney@oel.myflorida.com). 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Katerina Maroney, 250 Marriott Drive, Tallahassee, FL 32399, (850)717-8614 or [Katerina.Maroney@oel.myflorida.com](mailto:Katerina.Maroney@oel.myflorida.com).

THE FULL TEXT OF THE PROPOSED RULE IS:

6M-4.735 - Early Learning Professional Development Standards and Career Pathways

(1) Definitions.

(a) “Career Pathway” is a progression of professional development and training which may include non-credit and credit coursework. Career Pathways address professional educator standards and competencies.

(b) “Credential” is an official designation that identifies an individual’s professional education status or educational qualifications or competencies in a specific field or subject area.

(c) “Florida Early Care and Education Professional Development Registry or Registry” is a database by which the Florida Department of Children and Families (DCF) tracks the progression of completed professional development coursework and trainings of teachers and directors working in child care programs.

(d) “Florida’s Standards and Key Competencies or Competencies” identifies the core knowledge and skills that a

School Readiness teacher or director should know and be able to do in order to provide a quality early learning environment.

(e) “Formal Career Pathway” is a sequence of professional development coursework required for an academic degree from an accredited college or university.

(f) “Informal Career Pathway” is a sequence of professional development coursework or in-service trainings taken through the Registry or Registry approved training entity. Coursework and training in the informal career pathway does not lead to an academic degree from an accredited college or university.

(g) “Professional Development” is a continuum of continuing education opportunities available for teachers and directors designed to increase and strengthen the knowledge, skills, practices, and dispositions needed for School Readiness programs.

(h) “Professional Development Designation or Designation” identifies the professional development status or credentials earned along a career pathway.

(i) “Specialization” is a sequence of coursework or training focused on specific topics such as infant-toddler, childcare center management, inclusion, etc. Specializations can be formal or informal.

(j) “Stackable Credential” is a credential that builds upon prior education or professional development to increase competencies for teachers and directors.

(2) Career pathways. A School Readiness Program teacher or director may enter a formal or informal career pathway recognized by the Registry upon completion of core training requirements. The requirements for each career pathway are outlined in Form OEL-SR 735, Early Learning Professional Development Standards and Career Pathways Handbook (August, 2020), hereby incorporated by reference and may be obtained at the office website at [www.floridaearlylearning.com](http://www.floridaearlylearning.com) or by contacting the Office of Early Learning, Department of Education, 250 Marriott Drive, Tallahassee, FL 32399. The incorporated form is also available at: [Insert website link.](#)

(a) Core training requirements include satisfactory completion of the following courses through the Registry:

1. Florida Early Learning and Developmental Standards
2. Florida Core Competencies for Early Childhood Educators
3. Trauma-Informed Care for Child Care Professionals

(b) The informal career pathway includes completion of the core training requirements, foundational child care trainings offered through the Registry and attainment of a Florida Staff Credential or its equivalent as recognized by the Florida Department of Children and Families (DCF). Completion of an OEL approved specialization may also be included within the informal pathway.

(c) The formal career pathway includes completion of the core training requirements, foundational child care trainings offered through the Registry and attainment of an associate degree or higher from an accredited institution in an educational field accepted by DCF.

(d) Individuals with a DCF approved educational exemption for foundational child care trainings are eligible to complete an informal or formal career pathway.

(e) A School Readiness teacher or director can earn a professional development designation as an early childhood educator or after-school educator on a career pathway. Designations are limited to early childhood educator (ECE) I through III or after-school educator (ASE) I through III. Early childhood and after school educator designations are for individuals working with children from birth to kindergarten entry or birth to school age.

(3) Stackable credentials. A School Readiness Program teacher or director designated as an early childhood educator I through III (ECE I, ECE II, or ECE III) or an after-school educator I through III (ASE I, ASE II, or ASE III) can complete an identified credential(s) which may be stacked to earn a formal or informal specialization.

(4) Specializations. A School Readiness Program teacher or director may complete a specialization in any of the topics outlined in Form OEL-SR 735. Individuals are not limited to a single specialization. Informal or formal specializations recognized by the Registry can be added to the teacher's or director's Registry record at any time and will not expire. Rulemaking Authority 1001.213(2) FS. Law Implemented 1002.995, F.S. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE: Katerina Maroney, Deputy Director of Programs and Policy  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shan Goff, Executive Director  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 2020  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 17, 2020

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.: 61-35.029  
 RULE TITLE: DBPR Departmental Forms  
 PURPOSE AND EFFECT: The purpose and effect is to amend the rule to update and revise rule language referencing the newly published annual health and human services federal poverty guidelines for 2020.  
 SUMMARY: Within the provided paragraph the Department proposes to amend Rule 61-35.029 to adopt the revised language.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the Agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 20.05, 20.165 (8), 455.203 (5), 455.213 (1), 455.2035, FS.

LAW IMPLEMENTED: 455.02, 455.213, 455.219, 489.1131, 489.5161, 559.79, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Aimee Odom, Rules Coordinator, Division of Professions, 2601 Blair Stone Road, Tallahassee, Florida 32399-0760, (850)717-1394.

THE FULL TEXT OF THE PROPOSED RULE IS:

61-35.029 DBPR Departmental Forms.

The following forms can be obtained at [www.myfloridalicense.com/dbpr/](http://www.myfloridalicense.com/dbpr/) or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, (850)487-1395:

(1) through (2) No change.

(3) Pursuant to section 455.219(7)(a), F.S., the department, or a board thereunder, shall waive the initial licensing fee for a low-income individual. As defined in that section, a "low-income individual" is a person whose household income, before taxes, is at or below one hundred thirty percent (130%) of the federal poverty guidelines prescribed for the family's household size by the United States Department of Health and Human Services. The 2020 ~~2019~~ federal poverty guidelines, published on January 17, 2020, in 85 Federal Register 3060 ~~February 1, 2019 in 84 Federal Register 1167~~, are hereby incorporated by reference and may be obtained from <https://www.federalregister.gov/documents/2020/01/17/2020-00858/annual-update-of-the-hhs-poverty-guidelines>

<https://www.federalregister.gov/documents/2019/02/01/2019-00621/annual-update-of-the-hhs-poverty-guidelines> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX-10502>. Any person claiming waiver of an initial professional licensing fee based upon low-income status pursuant to section 455.219(7)(a), F.S., shall submit, along with their application for licensure, a completed Form DBPR LI 001, Application for Low Income Waiver of Licensing Fee, effective April 2019, incorporated herein by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-10501>.

Rulemaking Authority 20.05, 20.165(8), 455.203(5), 455.213(1), 455.2035 FS. Law Implemented 455.02, 455.213, 455.219, 559.79, 489.1131, 489.5161 FS. History—New 6-24-19, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Aimee Odom, Rules Coordinator, Division of Professions, 2601 Blair Stone Road, Tallahassee, Florida 32399-0760, (850)717-1394.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Halsey Beshears, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 15, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 9, 2020

---

**Section III**  
**Notice of Changes, Corrections and**  
**Withdrawals**

NONE

---

**Section IV**  
**Emergency Rules**

NONE

---

**Section V**  
**Petitions and Dispositions Regarding Rule**  
**Variance or Waiver**

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

14-73.001 Public Transportation

NOTICE IS HEREBY GIVEN that on April 27, 2020, the Florida Department of Transportation, received a petition for a variance from Flagler County, Florida, seeking a variance from the provisions of Rule 14-73.001, Florida Administrative Code.

Rule 14-73.001 establishes requirements for the recipients of the Department’s transit grant funds. Flagler County proposes the Department grant a variance to the deadline for adoption of the County’s Major Transit Development Plan update.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458, [FDOT.AgencyClerk@dot.state.fl.us](mailto:FDOT.AgencyClerk@dot.state.fl.us).

---

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NOS.:RULE TITLES:

64B2-13.004 Continuing Education

64B2-13.0049 Inactive Status License

NOTICE IS HEREBY GIVEN that on April 28, 2020, the Board of Chiropractic Medicine, received a petition for variance or waiver filed by Sean K. Padgett, D.C., regarding the requirements of Rules 64B2-13.004 and 64B2-13.004, F.A.C., which requires that for the purpose of renewing or reactivating a license, an applicant must demonstrate to the Board that he/she has participated in at least forty (40) classroom hours of Board approved continuing chiropractic education. Due to the current State of Emergency regarding the Coronavirus/COVID-19 pandemic and actions to limit gatherings of people and “social distancing,” Petitioner seeks approval to be allowed to take the required hours for reactivation online or be reactivated immediately, but be required to complete the hours by January 1, 2021. Comments on this petition should be filed with the, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3255, telephone: (850)488-0595, or by electronic mail – [Anthony.Spivey@flhealth.gov](mailto:Anthony.Spivey@flhealth.gov), within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dr. Anthony Spivey, Executive Director, Board of Chiropractic Medicine, at the above address.

---

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on April 29, 2020, the Board of Optometry, received a petition for waiver or variance filed by Elise Beatty. Petitioner is seeking a variance or waiver of subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The

passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on April 28, 2020, the Board of Optometry, received a petition for waiver or variance filed by Stephanie Ross. Petitioner is seeking a variance or waiver of subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on April 29, 2020, the Board of Optometry, received a petition for waiver or variance filed by Joel F. Foreman, Esquire, on behalf of Ronald Monacelli. Petitioner is seeking a variance or waiver of subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-

Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE IS HEREBY GIVEN that on April 20, 2020, the Florida Fish and Wildlife Conservation Commission, received a petition for a waiver from subparagraph 68A-6.010(3)(b)2., Florida Administrative Code, that sets out the land area requirement for facilities housing Class II wildlife. The petition was submitted by Gena Walck of Heaven Help Us Animal Refuge. Comments regarding the petition will be accepted for 14 days from the date of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Capt. Kara Hooker, Florida Fish and Wildlife Conservation Commission, Captive Wildlife Program, 620 South Meridian Street, Tallahassee, FL 32399-1600 or by calling (850)488-6253.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Division of Historical Resources announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 8, 2020, 2:00 p.m. to conclusion

PLACE: Via web only

Registration

URL:

<https://attendee.gotowebinar.com/register/2876396491608064268>, Webinar ID: 654-571-915

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Florida Historical Marker Council to discuss and review submitted historical marker applications.

A copy of the agenda may be obtained by contacting: Michael Hart, flheritage@dos.myflorida.com, (850)245-6333.

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 48 hours before the workshop/meeting by contacting: Michael Hart, flheritage@dos.myflorida.com, (850)245-6333. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Michael Hart, flheritage@dos.myflorida.com, (850)245-6333.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Marketing and Development

The Florida Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 14, 2020, 9:30 a.m.

PLACE: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MDM3MDc4MDYtYzE3Ni00NGJLWI4ZTMtYzNkM2VjYWUzNzA4%40thread.v2/0?context=%7b%22tid%22%3a%2262557d98-bd11-4a88-8a7b-57bc3df0190b%22%2c%22oid%22%3a%22d4f256e3-2322-4c0a-9d11-7a230db27c3c%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDM3MDc4MDYtYzE3Ni00NGJLWI4ZTMtYzNkM2VjYWUzNzA4%40thread.v2/0?context=%7b%22tid%22%3a%2262557d98-bd11-4a88-8a7b-57bc3df0190b%22%2c%22oid%22%3a%22d4f256e3-2322-4c0a-9d11-7a230db27c3c%22%7d)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Committee meetings (Research, Legislative, Industry and Promotion). Research and promotion grant recommendations, trust fund budget request, report on viticulture trust fund collections, committee report.

A copy of the agenda may be obtained by contacting: Emily Hetherington at (850)617-7291.

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 2 days before the workshop/meeting by contacting: Emily Hetherington at (850)617-7291. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Emily Hetherington at (850)617-7291.

**DEPARTMENT OF EDUCATION**

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 27, 2020, 5:00 p.m. – 6:30 p.m. ET or until complete

PLACE: Conference Call Number 1(888)585-9008 and Code (873574258)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Florida Rehabilitation Council

Council By-Laws

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org.

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: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org. 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: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org.

**DEPARTMENT OF EDUCATION**

Division of Florida Colleges

The Criminal Justice Standards and Training Commission, Region VI Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2020, 10:00 a.m.

PLACE: College of Central Florida, Ewers Century Center, Bldg. 40, Room #101

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review the 2019-2020 expenditures to date.

A copy of the agenda may be obtained by contacting: College of Central Florida, Attention: Dawn Gonsalves, 3001 SW College Road, Ocala, FL 34474

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 2 days before the workshop/meeting by contacting: Dawn Gonsalves, (352)873-5808. 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: Dawn Gonsalves, (352)873-5808.

**DEPARTMENT OF TRANSPORTATION**

The Florida Transportation Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 7, 2020, 2:00 p.m.

PLACE: This meeting will be held via webinar and teleconference. Use the following link to join from your computer, tablet or smartphone: <https://attendee.gotowebinar.com/register/4761231001469098509>

For audio, please dial-in using the call-in number: 888-585-9008 and conference pin number: 421-319-736.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Performance and Production Review Kickoff Meeting.

A copy of the agenda may be obtained by contacting: the Florida Transportation Commission, 605 Suwannee Street, Tallahassee Florida 32399, (850)414-4105.

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 48 hours before the workshop/meeting by contacting: the Florida Transportation Commission, 605 Suwannee Street, Tallahassee Florida 32399, (850)414-4105. 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: the Florida Transportation Commission, 605 Suwannee Street, Tallahassee Florida 32399, (850)414-4105.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

The Department of Highway Safety and Motor Vehicles announces a public meeting to which all persons are invited.

DATE AND TIME: May 12, 2020, 1:00 p.m. – 2:00 p.m. ET  
PLACE: THIS MEETING WILL BE HELD VIA GOTOMEETING. PLEASE SEE DIAL-IN INFO BELOW.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Motorist Modernization Advisory Board is meeting to receive an update on Phase 1 of the Motorist Modernization Program. System functionality and requirements will also be presented to the group for consideration and input.

**AGENDA**

- Roll Call
- Welcome
- Review and Approval of Last Meeting Minutes
- Stakeholder Outreach Update
- MM Phase I Program Update
- Organizational Change Management Update
- Financial Review
- Project Updates
- Communications Update
- Q&A
- Adjourn

Please join the meeting from your computer, tablet or smartphone: <https://global.gotomeeting.com/join/630034677>

You can also dial in using your phone, United States: (646)749-3129, United States (toll-free): 1(877)309-2073, Access Code: 630-034-677, Audio PIN: Shown after joining the meeting

A copy of the agenda may be obtained by contacting: The agenda is included above.

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 5 days before the workshop/meeting by contacting: Terrence Samuel, 2900 Apalachee Parkway, Room D315, Tallahassee, FL 32399, (850)617-2100. 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).

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Volunteer Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, June 16, 2020, 2:00 p.m. ET until all business is complete

PLACE: 1(888)585-9008, Code: 721-648-837#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business to be discussed.

A copy of the agenda may be obtained by contacting: Sheri LeaJean, [sheri@volunteerflorida.org](mailto:sheri@volunteerflorida.org), (850)414-7400.

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 3 days before the workshop/meeting by contacting: Sheri LeaJean, [sheri@volunteerflorida.org](mailto:sheri@volunteerflorida.org), (850)414-7400. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Sheri LeaJean, [sheri@volunteerflorida.org](mailto:sheri@volunteerflorida.org), (850)414-7400.

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Volunteer Florida Foundation announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, June 16, 2020, 10:00 a.m. ET until all business is complete

PLACE: 1(888)585-9008, Code: 721-648-837#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business to be discussed.

A copy of the agenda may be obtained by contacting: Sheri LeaJean, [sheri@volunteerflorida.org](mailto:sheri@volunteerflorida.org), (850)414-7400.

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 3 days before the workshop/meeting by contacting: Sheri LeaJean, [sheri@volunteerflorida.org](mailto:sheri@volunteerflorida.org), (850)414-7400. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Sheri LeaJean, [sheri@volunteerflorida.org](mailto:sheri@volunteerflorida.org), (850)414-7400.

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Volunteer Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 26, 2020, 9:00 a.m. ET until all business is complete

PLACE: 1(888)585-9008, Code: 721648837#

GENERAL SUBJECT MATTER TO BE CONSIDERED: A series of calls discussing general business. Calls will begin on the hour every hour, 9:00 a.m. ET – 4:00 p.m. ET, with a lunch break being taken at 12:00 Noon ET.

A copy of the agenda may be obtained by contacting: Sheri LeaJean, [sheri@volunteerflorida.org](mailto:sheri@volunteerflorida.org), (850)414-7400.

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 3 days before the workshop/meeting by contacting: Sheri LeaJean, [sheri@volunteerflorida.org](mailto:sheri@volunteerflorida.org), (850)414-7400. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Sheri LeaJean, [sheri@volunteerflorida.org](mailto:sheri@volunteerflorida.org), (850)414-7400.

**REGIONAL PLANNING COUNCILS**

**Northeast Florida Regional Planning Council**

The Northeast Florida Regional Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2020, 10:00 a.m., Local Emergency Planning Committee

PLACE: Interested parties may attend the meeting via the following link: <https://us02web.zoom.us/j/88182537758> or by dialing (301)715-8592 (long distance charges may apply); enter the Meeting ID 881-8253-7758.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting

A copy of the agenda may be obtained by contacting: (904)279-0880 ext. 108.

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 5 days before the workshop/meeting by contacting: 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).

**REGIONAL PLANNING COUNCILS**

**Tampa Bay Regional Planning Council**

The Tampa Bay Regional Planning Council Executive Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 11, 2020, 9:00 a.m.

PLACE: This meeting will be held via phone communication if the Governor extends Executive Order 20-69, which is currently due to expire on May 8, 2020. A notice will be posted on the TBRPC webpage no later than May 8th indicating whether this meeting will be held by telephone. Persons wishing to participate in this meeting should dial: (312)626-6799. The meeting ID is: 860 5155 4582.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council Executive Budget Committee.

A copy of the agenda may be obtained by contacting: [Wren@tbrpc.org](mailto:Wren@tbrpc.org).

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 4 days before the workshop/meeting by contacting: [Wren@tbrpc.org](mailto:Wren@tbrpc.org). 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: [Wren@tbrpc.org](mailto:Wren@tbrpc.org).

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

The Medicaid Pharmaceutical and Therapeutics Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, May 8, 2020, 8:30 a.m. – 12:30 p.m.

PLACE: No public face-to-face meeting; join by zoom meeting link at:

<https://magellanhealth.zoom.us/j/94536767070?pwd=b3Vyc3R1cXgyWitGZHNUUkFkc0J5dz09>

Or iPhone one-tap (US Toll): (312)626-6799, 94536767070# or (646)558-8656, 94536767070#

Or Telephone: Dial: (312)626-6799, (US Toll) or (646)558-8656 (US Toll), Webinar ID: 945 3676 7070

The Executive Session follows the speaker's portion and is closed to the public. Open session will resume at approximately 10:30 a.m. Use the same zoom link to rejoin the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The P&T Meeting originally scheduled and posted in Vol. 46, No. 31, F.A.R. for March 20, 2020, has been rescheduled as a zoom meeting only. Recommendations for drugs to be included on the Preferred Drug List are made at this meeting. Speakers for this meeting are the same as those chosen by lottery for the original March 20th meeting. For additional information on drug classes being reviewed, please refer to our website at: [http://ahca.myflorida.com/medicaid/Prescribed\\_Drug/meeting\\_s.shtml](http://ahca.myflorida.com/medicaid/Prescribed_Drug/meeting_s.shtml)

A copy of the agenda may be obtained by contacting: Vern.Hamilton@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Wednesday, May 13, 2020, 9:00 a.m.; Thursday, May 14, 2020, 9:00 a.m.; Friday, May 15, 2020, 9:00 a.m.; This conference call replaces the previously noticed meeting scheduled to take place in St. Augustine.

PLACE: Telephone conference number: 1(888)585-9008, participant passcode: 564 952 647

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

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 5 days before the workshop/meeting by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a public meeting to which all persons are invited.

DATE AND TIME: CANCELLATION NOTICE FOR MAY 2020 CILB MEETING

PLACE: Embassy Suites St. Augustine, 300 A1A Beach Blvd, St. Augustine, FL 32080

GENERAL SUBJECT MATTER TO BE CONSIDERED: The previously noticed meeting, scheduled to take place May 13-15 at the Embassy Suites in St. Augustine, has been rescheduled to a teleconference.

A copy of the agenda may be obtained by contacting: NA

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Education Program Oversight Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: May 15, 2020, 10:00 a.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar. Join the meeting at <https://global.gotomeeting.com/join/533378925>. Join the conference call: United States (toll-free) 1(866)899-4679, meeting ID/access code: 533-378-925; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review pending accretor applications for recommendation to the Commission. Review pending advanced accredited courses for recommendation to the Commission.

A copy of the agenda may be obtained by contacting: Thomas Campbell, as set forth below or on the Commission website.

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: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, (850)487-1824 or fax: (850)414-8436. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Thomas Campbell, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, call

(850)487-1824 or access the Commission website: <https://floridabuilding.org/c/default.aspx>.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Community Development

The FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, May 12, 2020, 10:00 a.m.

PLACE: Florida Department of Economic Opportunity, Caldwell Building, 107 East Madison Street, MSC 400, Tallahassee, Florida 32399, This Public Hearing will be held via conference call. Tele-Conference Number: 1(888)585-9008, Conference Code: 717-433-638

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Community Service Block Grant (CSBG), Low-Income House Energy Assistance Program (LIHEAP), and Weatherization Assistance Program (WAP) reside in the Bureau of Economic Self-Sufficiency within the Florida Department of Economic Opportunity (DEO). These programs provide funding to specific eligible entities within the state to support services focused on the reduction of poverty, the revitalization of low-income communities, and the empowerment of low-income families in rural and urban areas to become self-sufficient. However, the existing formulas that govern the distribution of funds within the state are based on outdated data. To fulfill the mission of each program, it is necessary to update to the formulas based on more recent data to ensure the equitable distribution of funds and to address the needs of low-income Floridians.

The University of Florida's (UF) Program for Resource Efficient Communities and UF's Shimberg Center for Housing Studies collaborated to support DEO's effort to revise the funding formulas. The team leveraged extensive expertise in building science, housing assistance programs, energy and water conservation and data analytics to develop a robust, defensible, and replicable formula process for the CSBG, LIHEAP and WAP. On February 17, 2020, UF delivered a final written report and supplemental documentation of the funding formula development process and results.

DEO's Bureau of Economic Self-Sufficiency will be conducting a hearing for public comment regarding the development of the updated CSBG, LIHEAP, and WAP funding formula.

If a person decides to appeal any decision of the Florida Department of Economic Opportunity with respect to any matter considered at the public meeting, he or she will need a record of the proceeding. For such purposes, he or she may need to ensure that a record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

A copy of the agenda may be obtained by contacting: Ms. Debbie Smiley, Chief, Bureau of Economic Self-Sufficiency, Florida Department of Economic Opportunity, 107 East Madison Street, MSC 400, Tallahassee, Florida 32399-4120. Copies may also be obtained by calling (850)717-8450, faxing (850)921-3212 or emailing [debbie.smiley@deo.myflorida.com](mailto:debbie.smiley@deo.myflorida.com). The "Funding Formula Development Report" is also available by request.

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 5 days before the workshop/meeting by contacting: 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: Ms. Debbie Smiley, Chief, Bureau of Economic Self-Sufficiency, Florida Department of Economic Opportunity, 107 East Madison Street, MSC 400, Tallahassee, Florida 32399-4120. Copies may also be obtained by calling (850)717-8450, faxing (850)921-3212 or emailing [debbie.smiley@deo.myflorida.com](mailto:debbie.smiley@deo.myflorida.com).

**NORTHWEST FLORIDA AREA AGENCY ON AGING**

The Northwest Florida Area Agency on Aging, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 21, 2020, 6:00 p.m.

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Board meeting has been rescheduled from May 14, 2020 to May 21, 2020 and will be held via conference call. Please contact Amber McCool at 850-494-7101 for call in information.

A copy of the agenda may be obtained by contacting: Amber McCool at (850)494-7101.

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 3 days before the workshop/meeting by contacting: Amber McCool at (850)494-7101. 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: Amber McCool at (850)494-7101.

**FLORIDA SURPLUS LINES SERVICE OFFICE**

The Florida Surplus Lines Service Office Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 4, 2020, 9:00 a.m.

PLACE: Boca Raton Resort & Club, 501 East Camino Real, Boca Raton, Florida 33432

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 Quarterly Business Meeting General Business Matters  
 A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.com.

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 2 days before the workshop/meeting by contacting: Jennifer Mills at jmills@fslso.com or 1(800)562-4496, x101. 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).

**Section VII**

**Notice of Petitions and Dispositions  
 Regarding Declaratory Statements**

NONE

**Section VIII**

**Notice 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 has been filed with the Division of Administrative Hearings on the following rules:

NONE

**Section IX**

**Notice 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 AGRICULTURE AND CONSUMER SERVICES

Division of Food, Nutrition, and Wellness

NOTIFICATION OF INTENT TO OPERATE THE SUMMER FOOD SERVICE PROGRAM FOR CHILDREN in accordance with Title 7 of the Code of Federal Regulations, Part 225. It is the intent of the Florida Department of Agriculture and Consumer Services, Division of Food Nutrition and Wellness to administer the Summer BreakSpot program for fiscal year 2020.

The primary purpose of the program is to provide food service to children from needy areas during periods when area schools are closed. Eligible children are those 18 years of age and under and persons over 18 years of age who are determined by the state educational agency or a local public education agency or a local public agency of the state to be mentally or physically handicapped and who participate in the public or nonprofit private school program established for the mentally or physically handicapped.

The Summer BreakSpot program will be made available throughout Florida by state-approved sponsors for children without regard to race, color, national origin, sex, age or disability. To receive free meals at camps, children may need to meet income eligibility guidelines. Foster children who are members of households receiving benefits from the Supplemental Nutrition Assistance Program (SNAP), Food Distribution Program on Indian Reservations, or Temporary Assistance to Needy Families are automatically eligible to receive free meals at eligible sites. Parents or guardians of all children will need to complete a household application while at the site.

Children not currently receiving benefits must meet the income eligibility guidelines for reduced-price meals in the National School Lunch program. Income eligibility guidelines for School Year 2019 - 2020 are available at <https://www.fns.usda.gov/cnp/fr-032019> and, also, in the chart below. Sponsors for the program may be a public or nonprofit school, nonprofit private organization, residential or nonresidential camp, government organization, or a National Youth Sports Program. For more information, please contact: Division of Food, Nutrition and Wellness, Summer Food Service Program, 1-800-504-6609 or 850-617-7401.

INCOME ELIGIBILITY GUIDELINES\*

EFFECTIVE FROM JULY 1, 2019 TO JUNE 30, 2020

\*For the 48 contiguous United States, District of Columbia, Guam and territories

Florida’s Summer BreakSpot is part of the National Summer Food Service Program, a federally-funded program operated by the United States Department of Agriculture (USDA). For more information, please visit [SummerBreakSpot.org](http://SummerBreakSpot.org).

There are several ways to find a Summer BreakSpot site:

Visit [SummerBreakSpot.org](http://SummerBreakSpot.org) and click on “Find a site”

(Contact information for each site is included.)

Dial 2-1-1

Text “FoodFL” to 877-877

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at 1(800)877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [How to File a Complaint](#), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; fax: (202)690-7442; or, email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

DEPARTMENT OF EDUCATION

University of North Florida

ITB 20-10 Roofing Replacement B64, B6 and B14E

NOTICE TO ROOFING CONTRACTORS

INVITATION TO BID

ITB 20-10

The University of North Florida Board of Trustees, a public body corporate, announces that roofing contractor services are required for three buildings at UNF. The address for Buildings 6 and 14E is the University of North Florida at 1 UNF Drive.

Household Size	Reduced Price Meals 185% of federal poverty guidelines					Free Meals 130% of federal poverty guidelines				
	Yearly	Monthly	Weekly	Per Two Weeks	Per Week	Yearly	Monthly	Weekly	Per Two Weeks	Per Week
1... ... ...	23,107	1,926	963	889	445	16,237	1,354	677	625	313
2... ... ...	31,284	2,607	1,304	1,204	602	21,983	1,832	916	846	423
3... ....	39,461	3,289	1,645	1,518	759	27,729	2,311	1,156	1,067	534
4... ....	47,638	3,970	1,985	1,833	917	33,475	2,790	1,395	1,288	644
5... ....	55,815	4,652	2,326	2,147	1,074	39,221	3,269	1,635	1,509	755
6... ....	63,992	5,333	2,667	2,462	1,231	44,967	3,748	1,874	1,730	865
7... ....	72,169	6,015	3,008	2,776	1,388	50,713	4,227	2,114	1,951	976
8... ....	80,346	6,696	3,348	3,091	1,546	56,459	4,705	2,353	2,172	1,086
For each additional person:	+8,177	+682	+341	+315	+158	+5,746	+479	+240	+221	+111

Building 64 is located adjacent to the campus at 11820 Central Parkway, Jacksonville, FL 32224.

Project information

Project scope is for the roofing replacement on three UNF (University of North Florida) buildings. Each of the three buildings has a different scope of work. UNF Annex Building 6 requires the application of a fluid applied roof membrane system over the existing approximately 28,500SF roof. The scope of Andrew Robinson Jr. Building 14E includes the complete removal and replacement of an existing approximately 11,800SF with a new modified bitumen membrane system. The Central Maintenance Facility Building 64 requires the complete removal and replacement of an approximately 67,000SF roof with a new single ply TPO membrane assembly. See the construction plans/drawings for the full scope of work.

The proposed schedule for this project is:

FAW Advertisement: April 30, 2020

Non-Mandatory Zoom Pre-bid meeting: May 12, 2020, 11:00 a.m.

Questions Due: May 21, 2020

Bids Due: June 2, 2020, 12:00 Noon

Firms wishing to apply for consideration shall submit the appropriate documents from RFQ 20-10 titled Various Buildings Roof Replacement.

Blanket liability insurance will be required for this project in the amount of \$2,000,000 and will be provided as part of the Basic Services (each, aggregate and per occurrence).

As required by §287.133, Fla. Stat., a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Solicitation documents, forms, drawings and descriptive project information may be obtained online at the UNF Procurement Services website at [https://www.unf.edu/procurement/Bids\\_and\\_Notices.aspx](https://www.unf.edu/procurement/Bids_and_Notices.aspx).

Submit one complete copy of your firms bid (paper and electronic) per solicitation requirements. ITB submittals must be received no later than 12:00 Noon on June 2, 2020. Facsimile (fax) or email submittals are not acceptable and will not be considered.

**FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION**

Florida Automobile Joint Underwriting Association  
 FAJUA CLAIMS ADMINISTRATION RLI  
 FAJUA LEGAL SERVICES RFP

The FAJUA is issuing a RLI for motor vehicle insurance policy claims administration and an RFP for motor vehicle insurance policy legal and consulting services. Requests for a copy of

either and all inquiries regarding same must be submitted in writing to: Florida Automobile Joint Underwriting Association, C/O General Manager, 1425 Piedmont Drive, East, Suite 201A, Tallahassee, Florida 32308, Facsimile (850)681-7802, [lstoutamire@fajua.org](mailto:lstoutamire@fajua.org).

**Section XII  
 Miscellaneous**

**DEPARTMENT OF STATE**

**Index of Administrative Rules Filed with the Secretary of State**

Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, April 22, 2020 and 3:00 p.m., Wednesday, April 29, 2020.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
5K-5.436	4/23/2020	4/23/2020
5K-6.344	4/23/2020	4/23/2020
5M-1.010	4/22/2020	5/12/2020
53ER20-33	4/28/2020	4/28/2020
61G15-19.0051	4/27/2020	5/17/2020
61G15-19.0071	4/27/2020	5/17/2020
61G15-30.001	4/24/2020	5/14/2020
61K1-4.025	4/24/2020	5/14/2020
61K1-4.026	4/24/2020	5/14/2020
64B17-3.001	4/24/2020	5/14/2020
64B17-8.003	4/24/2020	5/14/2020
64B18-17.001	4/24/2020	5/14/2020
64I-4.001	4/29/2020	5/19/2020
64I-4.004	4/29/2020	5/19/2020
64I-4.005	4/29/2020	5/19/2020

**LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Office of the Secretary  
Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by subsection 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments and deadlines, and the address for providing comments, are available at: <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850)717-9076. This public notice fulfills the requirements of 15 CFR 930.

---

**Section XIII**  
**Index to Rules Filed During Preceding**  
**Week**

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

---