

MEMORANDUM

TO: Governing Board Members

FROM: Candida Heater, Office of Counsel

DATE: March 5, 2026

SUBJECT: Publish a Notice of Proposed Rule in the Florida Administrative Register and Adopt Amendments to Rule 40E-7.215 F.A.C.

Agenda Item Background:

During the 2025 legislative session, the Florida Legislature passed Senate Bill 108 (SB 108), which created section 120.5435, Florida Statutes (F.S.), and amended section 120.74, F.S. As part of the new requirements under SB 108, the District, in coordination with the Joint Administrative Procedures Committee, must review all of its existing rules by July 1, 2030. The District must include in its annual regulatory plan a schedule of the rules it will review each year during the review period.

To comply with these requirements, the District's 2025-2026 Regulatory Plan contains the yearly review schedule for 2025-2026, which includes, but is not limited to, Rule 40E-7.215, F.A.C. ("Definitions").

Rule 40E-7.215, Florida Administrative Code, establishes definitions applicable to the District's contractor suspension and debarment process, including the requirement that contracting entities execute Form No. 1112, "Statement of No Suspension," to certify that they and their subcontractors or subconsultants are not suspended from doing business with the District.

The District proposes amending subsection 40E-7.215(6) to provide free public access to Form No. 1112 in accordance with current rulemaking standards through a hyperlink in the Florida Administrative Code.

On January 20, 2026, the District published a Notice of Rule Development for Rule 40E-7.215 in the Florida Administrative Register, and staff now seeks Governing Board authorization to publish a Notice of Proposed Rule and adopt the amendment, subject to no request for public hearing or substantive changes after public comment period.

Additional Item Background:

Core Mission and Strategic Priorities:

The proposed amendment improves the District's procurement and contracting process by clarifying, making accessible, and enforcing contractor eligibility standards. Maintaining accurate, properly incorporated suspension documentation is important for protecting the integrity of District contracts and safeguarding public resources.

Funding Source:

The rulemaking activities will be completed using in-house staff resources. Minimal funding and staff time will be required.

Staff Contact and/or Presenter:

Candida Heater, cheater@sfwmd.gov, 561-682-6486

ATTACHMENTS:

[Resolution No. 2026-0308](#)

[Form No 1112 Statement of No Suspension](#)

[40E-7.215 Definitions](#)