

Section I  
Notice of Development of Proposed Rules  
and Negotiated Rulemaking

NONE

Section II  
Proposed Rules

NONE

Section III  
Notice of Changes, Corrections and  
Withdrawals

NONE

Section IV  
Emergency Rules

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE NO.:	RULE TITLE:
12AER24-1	Sales of Clothing; School Supplies; Learning Aids and Jigsaw Puzzles; Personal Computers and Personal Computer-Related Accessories; Sales Tax Holiday During the Period July 29, 2024, through August 11, 2024

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 59, Chapter 2024-158, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement the sales tax holiday from July 29, 2024, through August 11, 2024, for clothing, wallets, and bags; school supplies; learning aids and jigsaw puzzles; personal computers and personal computer-related accessories. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the sales tax holiday.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Section 59, Chapter 2024-158, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of these provisions.

SUMMARY: Emergency Rule 12AER24-1 implements the “Back-to-School” sales tax holiday which provides certain exemptions for the sales of clothing, wallets, or bags having a selling price of \$100 or less per item, sales of school supplies having a selling price of \$50 or less per item, sales of learning aids and jigsaw puzzles having a sales price of \$30 or less, and personal computers and personal computer-related accessories purchased for noncommercial home or personal use having a sales price of \$1,500 or less. The exemption does not apply to sales within a theme park or entertainment complex, as defined in section 509.013(9), F.S., or within a public lodging establishment, as defined in section 509.013(4), F.S., or within an airport, as defined in section 330.27(2), F.S. The emergency rule describes the items included in the exemption and explains how various transactions are to be handled for purposes of the exemption, including sales of sets of both exempt and taxable items, articles normally sold as a unit, buy one and get one free or for a reduced price, remote sales, shipping and handling charges, layaway sales, rain checks, returns, exchanges, coupons, discounts, and rebates, repairs or alterations, gift cards, rentals of items, and merchant’s license fees. The emergency rule provides procedures for qualified businesses to opt out of participation in the sales tax holiday, as allowed by the law creating the sales tax holiday. The emergency rule also provides a list of items and their taxable status during the sales tax holiday period for clothing, school supplies, learning aids and jigsaw puzzles, and personal computers and personal computer-related accessories.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Martha Gregory, Technical Assistance and Dispute Resolution, telephone (850)717-6041, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

**12AER24-1 Sales of Clothing; School Supplies; Learning Aids and Jigsaw Puzzles; Personal Computers and Personal Computer-Related Accessories; Sales Tax Holiday During the Period July 29, 2024, through August 11, 2024.**

(1) Definitions. For purposes of this rule, the following definitions apply:

(a) “Airport” means a facility as defined in Section 330.27(2), F.S.

(b)1. “Clothing” means any article of wearing apparel intended to be worn on or about the human body, including all footwear, except skis, swim fins, roller blades, and skates.

2. “Clothing” does not include watches, watchbands, jewelry, umbrellas, and handkerchiefs.

(c) “Holiday period” means the period from July 29, 2024, through August 11, 2024.

(d) “Learning aids” means flashcards or other learning cards, matching or other memory games, puzzle books and search-and-find books, interactive or electronic books and toys intended to teach reading or math skills, and stacking or nesting blocks or sets.

(e)1. “Personal computers” includes electronic book readers, calculators, laptops, desktops, handheld devices, tablets, or tower computers.

2. The term does not include cellular telephones, video game consoles, digital media receivers, or devices that are not primarily designed to process data.

(f) “Personal computer-related accessories.”

1. The term includes keyboards, mice, personal digital assistants, monitors, other peripheral devices, modems, routers, and nonrecreational software, regardless of whether the accessories are used in association with a personal computer base unit.

2. The term does not include furniture, or systems, devices, software, or other peripherals that are designed or intended primarily for recreational use.

3. The term “monitor” does not include a device that includes a television tuner.

4. The term “nonrecreational software” includes software such as antivirus, word processing, financial, database, and educational software. It does not include gaming software.

(g) “Public lodging establishment” means a facility as defined in Section 509.013(4), F.S.

(h) “Remote sale” means a retail sale of tangible personal property ordered by mail, telephone, the Internet, or other means of communication from a person who receives the order outside of this state and transports the property or causes the property to be transported from any jurisdiction, including this state, to a location in this state. For purposes of this emergency rule, tangible personal property delivered to a location within this state is presumed to be used, consumed, distributed, or stored to be used or consumed in this state.

(i) “School supplies” means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers, computer disks, staplers and staples used to secure paper products, protractors, and compasses.

(j) “Theme park or entertainment complex” means a facility as defined in Section 509.013(9), F.S.

(2) Clothing Sales.

(a) During the holiday period, tax is not due of the retail sale of any article of clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, with a sales price of \$100 or less per item. This exemption does not apply to sales of clothing, wallets, or bags within a theme park

or entertainment complex, public lodging establishment, or airport.

(b)1. The sales tax exemption applies to each eligible item of clothing, wallet, or bag, having a sales price of \$100 or less per item. The exemption applies regardless of how many items are sold on the same invoice to a customer.

2. Example: A customer purchases two shirts for \$55 each. Both items are eligible for the exemption, even though the customer’s total purchase price (\$110) exceeds \$100.

(c)1. The exemption does not apply to the first \$100 of price of an eligible item of clothing, wallet, or bag with a sales price of more than \$100.

2. Example: A customer purchases a pair of pants costing \$120. Tax is due on the entire \$120.

(3) School Supplies.

(a)1. During the holiday period, tax is not due of the retail sale of any item of school supplies with a sales price of \$50 or less per item. This exemption does not apply to sales of school supplies within a theme park or entertainment complex, public lodging establishment, or airport.

2. Example: A customer purchases a set of art markers for \$45. The purchase qualifies for the exemption.

3. Example: A customer purchases a set of art markers with a sales price of \$75. Tax is due on the entire \$75.

(b)1. The sales tax exemption applies to each eligible item of school supplies with a sales price of \$50 or less per item. The exemption applies regardless of how many items are sold on the same invoice to a customer.

2. Example: A customer purchases 15 notebooks for \$4.50 each. All 15 items will qualify for the exemption, even though the customer’s total purchase price (\$67.50) exceeds \$50.

(4) Learning Aids and Jigsaw Puzzles. During the holiday period, tax is not due of the retail sale of any learning aid or jigsaw puzzle with a sales price of \$30 or less. This exemption does not apply to sales of learning aids or jigsaw puzzles within a theme park or entertainment complex, public lodging establishment, or airport.

(5) Personal Computers and Certain Personal Computer-Related Accessories.

(a) During the holiday period, tax is not due of the retail sale of any personal computer or personal computer-related accessories for noncommercial home or personal use with a sales price of \$1,500 or less. This exemption does not apply to sales of personal computers or personal computer-related accessories within a theme park or entertainment complex, public lodging establishment, or airport.

(b)1. The sales tax exemption applies to each eligible personal computer or qualifying personal computer-related accessory with a sales price of \$1,500 or less per item.

2. Example: A customer purchases a \$950 personal computer, a \$100 printer, and a \$400 tablet in a single

transaction. Each item will qualify for the exemption on the sales price of the individual item.

3. Example: A customer purchases a personal computer with a sales price of \$1,700. Tax is due on the entire \$1,700.

(6) Sales of Sets Containing Both Exempt and Taxable Items.

(a) When exempt items are normally sold together with taxable merchandise as a set or single unit, the sales price of the set or single unit is subject to sales tax.

(b) Example: A gift set consisting of a wallet (which is defined as an eligible “clothing item”) and key chain (which is not defined as an eligible “clothing item”) is sold for a single price of \$35. Although the wallet would otherwise be exempt during the holiday period, the sales price of the gift set is subject to tax.

(c) Example: A packaged set consisting of a bottle of correction fluid (which is not defined as an eligible “school supply”) and pens (which are defined as an eligible “school supply”) is sold for a single price of \$10. Although the pens would otherwise be exempt during the holiday period, the sales price of the packaged set is subject to tax.

(7) Articles Normally Sold as a Unit.

(a) Articles that are normally sold as a unit must continue to be sold in that manner; they cannot be separately stated and sold as individual items in order to obtain the exemption.

(b) Example: A pair of shoes normally sells for \$120. The pair of shoes cannot be split in order to sell each shoe for \$60 to qualify for the exemption.

(c) Example: A two-piece suit is normally priced at \$150 on a single price tag. The suit cannot be split into separate articles so that any of the components may be sold for \$75 or less in order to qualify for the exemption. However, components that are normally priced as separate articles may continue to be sold as separate articles and qualify for the exemption if the price of an article is \$100 or less.

(d) Example: A pen and pencil set is normally priced at \$60 on a single price tag. The set cannot be split into separate articles so that either of the components may be sold for \$30 or less in order to qualify for the exemption.

(8) Gift Cards.

(a) Eligible items purchased during the holiday period using a gift card will qualify for the exemption, regardless of when the gift card was purchased.

(b) Eligible items purchased after the holiday period using a gift card are taxable, even if the gift card was purchased during the holiday period.

(c) A gift card does not reduce the sales price of an item.

(9) Buy One, Get One Free or for a Reduced Price. The total price of items advertised as “buy one, get one free” or “buy one, get one for a reduced price” cannot be averaged in order for both items to qualify for the exemption.

(10) Exchanges.

(a) If a customer purchases an eligible item during the holiday period, then later exchanges the item for the same item (e.g., different size or different color), no tax will be due even if the exchange is made after the holiday period.

(b) If a customer purchases an eligible item during the holiday period, then later returns the item and receives credit towards the purchase of an item that did not qualify for the exemption, the new item purchased is subject to tax.

(11) Coupons, Discounts, and Rebates. The sales price of an item includes all consideration received by the retailer for that item. The price of an item is not limited to the amount paid by a customer.

(a) Manufacturer’s coupons, discounts, and rebates do not reduce the sales price of an item, because the retailer is reimbursed for the amount of any discount provided to a customer. Therefore, the amount of the reimbursement is included in the taxable sales price of an item.

(b) Store coupons, discounts, and rebates offered by the retail seller reduce the sales price of an item because they reduce the total amount received by the retail seller for the item.

(12) Returns. When a customer returns an item purchased during the holiday period and requests a refund or credit of tax the customer must produce a receipt or invoice showing tax was charged and paid on the original purchase of the item, or the retailer must have sufficient documentation to show tax was paid on the original purchase of the item.

(13) Rain checks. Eligible items purchased during the holiday period using a rain check will qualify for the exemption regardless of when the rain check was issued. However, issuance of a rain check during the holiday period will not qualify an eligible item for the exemption if the item is actually purchased after the holiday period.

(14) Layaway sales. A layaway sale is a transaction in which merchandise is set aside for future delivery to a customer who makes a deposit, agrees to pay the balance of the purchase price over a period of time, and receives the merchandise at the end of the payment period. Eligible items sold as layaway sales qualify for the exemption when the customer accepts delivery of the merchandise during the sales tax holiday period, or puts an eligible item on layaway, even if final payment is made after the sales tax holiday period.

(15) Remote Sales.

(a) Eligible items purchased through a marketplace provider or from a remote seller are exempt when the order is accepted by the marketplace provider or remote seller during the holiday period for immediate shipment, even if delivery is made after the holiday period.

(b) An order is accepted by the company when action has been taken to fill the order for immediate shipment. Actions to fill an order include assigning an “order number” to a telephone

order, confirming an Internet order by an email to the customer, or placing a date received on an order received by mail.

(c) An order is considered to be for immediate shipment when delayed shipment is not requested by the customer. An order is for immediate shipment even if the shipment may be delayed because of a backlog of orders or stock is currently unavailable or on back order.

(16) Shipping and Handling Charges. When separately stated shipping charges are part of the sales price, as provided in Rule 12A-1.045, F.A.C., and both taxable and exempt items are listed on a sales invoice or receipt, the shipping charges must be proportionately allocated to the charge for each item to determine the total sales price of the item. The charge for each item is divided by the total charge of all the items ordered to obtain the percentage of charge that each item bears to the total order. The amount of the shipping charge applicable to each item is calculated by multiplying the total shipping charge by the percentage of cost for each item. If an item is exempt, the associated shipping charge is also exempt.

(17) Service Warranties. The taxation of any charges for a service warranty contract depends on the taxability of the product being sold. If the retail sale of an item is exempt from tax, the charge for a service warranty sold with the item is exempt.

(18) License Fees or Other Fees imposed by Panama City and Panama City Beach. Panama City and Panama City Beach impose a 1% merchant's license fee on retailers. The merchant's license fee is included in the sales price of each item. When the fee is separately stated, and both taxable and exempt items are listed on a sales invoice or receipt, the merchant's fee must be allocated to the charge for each item on the invoice. If the item is exempt, the associated merchant's license fee is exempt.

(19) Repairs or Alterations to Eligible Items.

(a) Repairs to eligible items do not qualify for the exemption.

(b) Alterations to clothing or footwear do not qualify for the exemption, even though alterations may be sold, invoiced, and paid for at the same time as the item to be altered is purchased.

(20) Option to not participate. Qualified businesses may choose not to participate in the tax holiday.

(a) Qualification. Businesses may choose to opt out of the tax holiday when less than five percent (5%) of their gross sales of tangible personal property during calendar year 2023 are sales of items that would be exempt during the tax holiday. Businesses with multiple locations must include the gross sales of all of their Florida locations into this calculation. For businesses that were not in operation during the 2023 calendar year, this option is available when less than five percent (5%)

of the inventory of items for sale by the business are items that would be tax exempt during the tax holiday.

(b) Election. Qualifying businesses choosing not to participate in the tax holiday must send a written notice to the Florida Department of Revenue by July 15, 2024, for the July-August 2024 tax holiday. The notice must be on business letterhead and state that the business meets the qualifications stated in paragraph (a) and has chosen not to participate in the tax holiday. The notice must be signed by an individual authorized to sign on behalf of the business. Businesses with multiple locations may send a single notice stating that all of their Florida locations will not participate in the tax holiday. The notice may be delivered in one of three ways:

1. A letter can be mailed to the following mailing address:

Sales Tax Holiday  
Account Management MS 1-5730  
Florida Department of Revenue  
5050 W Tennessee St  
Tallahassee, FL 32399-0160

2. A scanned letter can be emailed to: [registration@floridarevenue.com](mailto:registration@floridarevenue.com).

3. A letter can be faxed to 850-922-0859.

(c) Sample Notice. The notice may take any form as long as it clearly states that the business is electing not to participate in the holiday. An example of notice language is as follows: "In accordance with Section 59 of Chapter 2024-158, Laws of Florida, (Name of Business) has chosen not to participate in the Back-to-School Sales Tax Holiday, July 29, 2024, through August 11, 2024. For questions, please contact (name of contact person at business) at (contact telephone number or email address)." The notice must be signed by an authorized individual.

(d) Posting of Notice. Businesses that do not participate in the tax holiday must post the notice at each business location stating their choice not to participate in the Back-to-School Sales Tax Holiday. The notice must be posted in a conspicuous location where it is easily visible to customers.

(21) Rentals. Rentals of eligible items do not qualify for the exemption.

(22) List of Items of Clothing and Their Taxable Status During the Holiday Period. The following is a list of items of clothing and their taxable status during the holiday period, if they are sold for \$100 or less per item. This is not an exhaustive list. T = Taxable, E = Exempt.

A  
T Accessories  
E Barrettes and bobby pins  
E Belt buckles  
E Bow ties  
E Hairnets, bows, clips, and hairbands  
E Handbags

- T Handkerchiefs  
T Jewelry  
T Key cases  
E Neckwear  
E Ponytail holders  
E Scarves  
E Ties  
E Wallets  
T Watchbands  
T Watches  
E Aerobic and fitness clothing  
E Aprons and clothing shields  
T Athletic gloves  
T Athletic pads  
E Athletic supporters
- B  
E Baby clothes\*  
E Backpacks and book bags  
E Bandanas  
E Baseball cleats  
E Bathing suits, caps, and cover-ups  
E Belts  
E Bibs\*  
E Bicycle helmets (youth)\*\*  
E Blouses  
E Boots (except ski or fishing boots)  
E Bowling shoes (purchased)  
T Bowling shoes (rented)  
E Braces and supports worn to correct or alleviate a physical incapacity or injury\*\*\*  
E Bras  
T Briefcases
- C  
T Checkbook covers (separate from wallets)  
T Chest protectors  
E Choir and altar clothing\*\*\*  
E Cleated and spiked shoes  
E Clerical vestments\*\*\*  
T Cloth, lace, knitting yarns, and other fabrics  
T Clothing repair items, such as thread, buttons, tapes, iron-on patches, or zippers  
E Coats  
E Coin purses  
T Corsages and boutonnières  
T Cosmetic bags  
E Costumes  
E Coveralls  
T Crib blankets
- D-E  
E Diaper bags  
E Diapers, diaper inserts (adult and baby, cloth or disposable)\*\*\*\*  
T Diving suits (wet and dry)  
E Dresses  
T Duffel bags  
T Elbow pads
- F  
E Fanny packs  
T Fins  
T Fishing boots (waders)  
E Fishing vests (non-flotation)  
T Football pads  
E Formal clothing (purchased)  
T Formal clothing (rented)
- G  
T Garment bags  
T Gloves  
T Baseball  
T Batting  
T Bicycle  
E Dress (purchased)  
E Garden  
T Golf  
T Hockey  
E Leather  
T Rubber  
T Surgical  
T Tennis  
E Work  
T Goggles (except prescription\*\*\*)  
E Graduation caps and gowns  
E Gym suits and uniforms
- H  
T Hard hats  
E Hats and caps  
T Helmets (bicycle\*\*, baseball, football, hockey, motorcycle, sports)  
E Hosiery and pantyhose, including support hosiery  
E Hunting vests
- I-J  
T Ice skates  
T In-line skates  
E Jackets  
E Jeans

K

- T Key chains
- T Knee pads

L

- E Lab coats
- E Leggings, tights, and leg warmers
- E Leotards
- T Life jackets and vests
- E Lingerie
- T Luggage

M-N

- T Makeup bags
- E Martial arts attire

O-P

- E Overshoes and rubber shoes
- T Pads (football, hockey, soccer, elbow, knee, shoulder)
- T Paint or dust masks
- E Pants
- T Patterns
- T Protective masks (athletic)
- E Purses

R

- E Raincoats, rain hats, and ponchos
- E Receiving blankets\*
- E Religious clothing\*\*\*
- T Rented clothing or footwear (e.g., uniforms, formal wear, and bowling shoes)

- T Repair of wearing apparel
- E Robes
- T Roller blades
- T Roller skates

S

- E Safety clothing
- T Safety glasses (except prescription\*\*\*)
- E Safety shoes
- E Scout uniforms
- T Shaving kits and bags
- E Shawls and wraps
- T Shin guards and padding
- E Shirts
- E Shoe inserts and insoles
- E Shoes (including athletic)
- E Shoulder pads (e.g., dresses, jackets)
- T Shoulder pads (e.g., football, hockey, sports)
- E Shorts
- T Ski boots (snow)

T Ski vests (water)

- E Ski suits (snow)
- T Skin diving suits
- E Skirts
- E Sleepwear (nightgowns and pajamas)
- E Slippers
- E Slips
- E Socks
- T Suitcases
- E Suits, slacks, and jackets
- T Sunglasses (except prescription\*\*\*)
- E Suspenders
- E Sweatbands
- E Sweaters
- T Swimming masks
- E Swimsuits and trunks

T

- E Ties (neckties, bow ties)
- E Tuxedos (purchased)

U

- T Umbrellas
- E Underclothes
- E Uniforms (work, school, and athletic - excluding pads)

V-W

- E Vests
- T Weight-lifting belts
- T Wigs

\* Certain baby and toddler products, such as baby and toddler clothing, apparel and shoes that are primarily intended for and marketed for children ages 5 or younger, are always exempt from sales tax. See Section 212.08(7)(qqq), F.S., and TIP 23A01-09.

\*\* Bicycle helmets marketed for use by youth are always exempt from sales tax.

\*\*\* These items are always exempt from sales tax as religious, prescription, prosthetic, or orthopedic items.

\*\*\*\* Diapers (children and adult) and incontinence products for human use are always exempt from sales tax. See Section 212.08(7)(rrr), F.S., and TIP 23A01-10.

(23) List of School Supplies and Their Taxable Status During the Holiday Period. The following is a list of school supplies and their taxable status during the holiday period if they are sold for \$50 or less per item.

- T = Taxable, E = Exempt.
- E Binders
- T Books not otherwise exempt
- E Cellophane (transparent) tape
- E Colored pencils

- E Compasses
- E Composition books
- E Computer disks (blank CDs only)
- T Computer paper
- E Construction paper
- T Correction tape, fluid, or pens
- E Crayons
- E Erasers
- E Folders
- E Glue (stick and liquid)
- E Highlighters
- E Legal pads
- E Lunch boxes
- E Markers
- T Masking tape
- E Notebook filler paper
- E Notebooks
- E Paste
- E Pencils, including mechanical and refills
- E Pens, including felt, ballpoint, fountain, highlighters, and refills

- E Poster board
- E Poster paper
- T Printer paper
- E Protractors
- E Rulers
- E Scissors
- E Staplers and staples (used to secure paper products)

(24) List of Learning Aids and Jigsaw Puzzles and Their Taxable Status During the Holiday Period. The following is a list of learning aids and jigsaw puzzles and their taxable status during the holiday period if they are sold for \$30 or less per item. T = Taxable, E = Exempt.

- E Electronic books
- E Flash cards
- E Interactive books
- E Jigsaw puzzles
- E Learning cards
- E Matching games
- E Memory games
- E Puzzle books
- E Search-and-find books
- E Stacking or nesting blocks or sets
- E Toys that teach reading or math skills

(25) List of Personal Computers and Related Accessories and Their Taxable Status During the Holiday Period. The following is a list of personal computers and related accessories, and their taxable status during the holiday period if they are sold for \$1,500 or less per item. This is not an inclusive list. T = Taxable, E = Exempt.

- T Batteries (regular)\*

- E Cables for computers
- E Calculators
- E Car adaptors for laptop computers
- T Cases for electronic devices (including electronic reader covers)
  - T CDs and DVDs (music, voice, prerecorded items)
  - T Cellular telephones (including smart telephones)
  - E Central processing units (CPU)
  - E Compact disk drives
  - E Computer for noncommercial home or personal use
  - E Desktop
  - E Laptop
  - E Tablet
  - T Computer bags
  - E Computer batteries
  - T Computer paper
  - E Computer towers consisting of a central processing unit, random-access memory, and a storage drive
  - T Computers designed and intended for recreation (games and toys)
    - T Copy machines and copier ink and toner
    - E Data storage devices (excludes those devices designed for use in digital cameras or other taxable items)
      - E Blank CDs
      - E Diskettes
      - E Flash drives
      - E Jump drives
      - E Memory cards
      - E Portable hard drives
      - E Storage drives
      - E Thumb drives
      - E Zip drives
    - T Digital cameras
    - T Digital media receivers
    - E Docking stations (for computers)
    - E Electronic book readers
    - T Fax machines (stand-alone)
    - T Furniture
    - T Game controllers (joy sticks, nunchucks)
    - T Game systems and consoles
    - T Games and gaming software
    - E Hard drives
    - E Headphones (including earbuds)
    - E Ink cartridges (for computer printers)
    - E Keyboards (for computers)
    - E Mice (mouse devices)
    - E Microphones (for computers)
    - E Modems
    - E Monitors (except devices that include a television tuner)
      - E Motherboards

- T MP3 players or accessories
- E Personal digital assistant devices (except cellular telephones)
- E Port replicators
- E Printer cartridges
- E Printers (including "all-in-one" models)
- T Projectors
- E RAM - random access memory
- T Rented computers or computer-related accessories
- E Routers
- E Scanners
- T Smart telephones
- E Software (nonrecreational)
- E Antivirus
- E Database
- E Educational
- E Financial
- E Word processing
- E Speakers (for computers)
- E Storage drives (for computers)
- T Surge protectors
- E Tablets
- T Tablet cases or covers
- T Televisions (including digital media receivers)
- T Video game consoles
- E Web cameras

\* Batteries for use in prosthetic or orthopedic appliances are always exempt from tax.  
*Rulemaking Authority s. 59, Ch. 2024-158, LOF. Law Implemented s. 59, Ch. 2024-158, LOF. History-New 7-1-24.*

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
 EFFECTIVE DATE: 07/01/2024

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

DEPARTMENT OF TRANSPORTATION  
 RULE NO.: RULE TITLE:  
 14-73.001 Public Transportation  
 The Florida Department of Transportation hereby gives notice: That on June 19, 2024, the Department of Transportation entered an Order Granting Petition for Variance from Rule 14-73.001, F.A.C. to the Miami Dade Department of Transportation and Public Works ("DTPW"). On May 22, 2024, DTPW requested a variance to extend the submission date of DTPW's Transit Development Plan ("TDP") five-year update. Notice of the Petition for Variance was published in the May

28, 2024, edition of the Florida Administrative Register. DOT granted the variance, because DTPW demonstrated the strict application of Rule 14-73-001, F.A.C. would create substantial hardship on Petitioner, and DOT determined that a one-year extension of the TDP deadline promoted the effective use of transportation resources in developing a regional TDP. No comments were received on the request for variance. A copy of the Order or additional information may be obtained by contacting: The Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458, FDOT.AgencyClerk@dot.state.fl.us.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 Division of Hotels and Restaurants  
 RULE NO.: RULE TITLE:  
 61C-4.010 Sanitation and Safety Requirements  
 NOTICE IS HEREBY GIVEN that on June 19, 2024, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2017 FDA Food Code from Lafayette Food Partners LLC. located in Winter Garden. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level. The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.  
 A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 Division of Hotels and Restaurants  
 RULE NO.: RULE TITLE:  
 61C-1.004 General Sanitation and Safety Requirements  
 NOTICE IS HEREBY GIVEN that on June 20, 2024, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from Mango Biche Mia USA Corp. located in Boca Raton. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are



requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and 3-compartment sinks. The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

## 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: Rescheduled: June 28, 2024 – 9:30 a.m. - 11:00 a.m.

PLACE: R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399 and via webinar

Register and Join Meeting:  
<https://attendee.gotowebinar.com/register/1198791370405678431>

Webinar ID: 659-755-651

Participants can use their telephone or computer mic & speakers (VoIP).

If using a phone, an audio pin will be shown after joining the webinar and must be entered to speak.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the Florida Museum of Black History Task Force.

A copy of the agenda may be obtained by contacting: Khara Fleming with the Division of Historical Resources at [khara.fleming@dos.fl.gov](mailto:khara.fleming@dos.fl.gov) or (850)245-6302 or (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: Khara Fleming with the Division of Historical Resources at [khara.fleming@dos.fl.gov](mailto:khara.fleming@dos.fl.gov) or (850)245-6302 or (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).

For more information, you may contact: Khara Fleming with the Division of Historical Resources at [khara.fleming@dos.fl.gov](mailto:khara.fleming@dos.fl.gov) or (850)245-6302 or (850)245-6333.

### DEPARTMENT OF EDUCATION

Commission for Independent Education

The Commission for Independent Education announces a public meeting to which all persons are invited.

DATE AND TIME: June 28, 2024, 10:00 a.m.

PLACE: This meeting will be conducted via communications media technology specifically Microsoft Teams. The meeting may be accessed as follows:

<https://events.teams.microsoft.com/event/d5b528ba-34e3-47f9-87c8-bb84dc4641fa@63bf107b-cb6f-4173-8c1c-1406bb5cb794>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A probable cause panel will convene to review an investigative report and make a determination as to whether probable cause exists pursuant to Chapter 1005, Florida Statutes. Portions of the probable cause proceedings are not open to the public.

A copy of the agenda may be obtained by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400 or by calling (850)245-3200.

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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400 or by calling (850)245-3200. 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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400 or by calling (850)245-3200.

### REGIONAL PLANNING COUNCILS

Emerald Coast Regional Council

The Florida-Alabama LRTP Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 24, 2024, 10:00 a.m.

PLACE: Emerald Coast Regional Council Office, 418 E Gregory Street Suite 100 Pensacola, FL 32502.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The 2050 Florida-Alabama LRTP Steering Committee will meet on Monday, June 24 at 10:00 a.m. This meeting will be held at the Emerald Coast Regional Council Office, 418 E Gregory Street Suite 100 Pensacola, FL 32502.

Participation is asked for without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who believe they have been discriminated against on these conditions may file a complaint with the Title VI Coordinator, (850)332-7976.

A copy of the agenda may be obtained by contacting: Gary Kramer at [gary.kramer@ecrc.org](mailto:gary.kramer@ecrc.org)

#### WATER MANAGEMENT DISTRICTS

##### Suwannee River Water Management District

The Suwannee River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 9, 2024, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Workshops, Public Hearings, and/or Committee Meetings. Consideration of Suwannee River Water Management District business. Information regarding viewing the meeting will be available on the District's website at [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com). NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology. The Suwannee River Water Management District does not discriminate on the basis of race, color, national origin, sex, or disability in any of its activities or programs, including any activity or program receiving assistance from the Environmental Protection Agency or programs covered by section 13 of the Federal Water Pollution Control Act Amendments of 1972. The District has designated the following individual as its Civil Right Coordinator: Ben Glass, District Ombudsman, 9225 CR 49, Live Oak, FL 32060, Phone: (386)362-1001 Fax: (386)362-0418.

A copy of the agenda may be obtained by contacting: (386)362-1001 or 1(800)226-1066 (Florida only) or on the District's website at [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com), when published.

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: (386)362-1001 or 1(800)226-1066 (Florida only). 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.

#### DEPARTMENT OF MANAGEMENT SERVICES

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 25, 2024, 9:00 a.m. – 11:00 a.m., ET, or until adjourned.

PLACE: Microsoft Teams, Meeting ID 267 989 021 895, Passcode 6pG3Qa; Teleconference: 1(850)739-6768, when prompted enter code 966430105#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Government Efficiency Task Force, established pursuant to s. 11.9005, F.S., announces its agenda to include: announcement of working group members and other business. There will be an opportunity for public comment via telephonic means.

A copy of the agenda may be obtained by contacting: The agency website at

[https://www.dms.myflorida.com/other\\_programs/government\\_efficiency\\_task\\_force](https://www.dms.myflorida.com/other_programs/government_efficiency_task_force).

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: [Jake.Holmgreen@dms.fl.gov](mailto:Jake.Holmgreen@dms.fl.gov) or (850)597-3677. 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).

#### DEPARTMENT OF COMMERCE

##### Division of Community Development

The Florida Department of Commerce announces a public meeting to which all persons are invited.

DATE AND TIME: June 28, 2024, 10:00 a.m.

PLACE: The meeting will be held virtually via Microsoft Teams at the following link:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_ZjdmYjVjNjEtZWY0NC00YTM2LTgyMjYtZTg3M2NmMzE0YWVj%40thread.v2/0?context=%7b%22Tid%22%3a%22931da019-f64e-4908-b0f6-92f46f78c512%22%2c%22Oid%22%3a%226c1a3a68-7d1e-4389-b715-4de0c7d55df2%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjdmYjVjNjEtZWY0NC00YTM2LTgyMjYtZTg3M2NmMzE0YWVj%40thread.v2/0?context=%7b%22Tid%22%3a%22931da019-f64e-4908-b0f6-92f46f78c512%22%2c%22Oid%22%3a%226c1a3a68-7d1e-4389-b715-4de0c7d55df2%22%7d)

Meeting ID: 240 098 743 48

Passcode: A6ivni

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of compliance agreement regarding the Department of Commerce's petition to Levy County Ordinance Number 2023-10 (DOAH Case No. 24-1427).

A copy of the agenda may be obtained by contacting: [agency.clerk@commerce.fl.gov](mailto:agency.clerk@commerce.fl.gov).

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: (850)245-7150. 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: Agency Clerk at (850)245-7150.

**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**

SARASOTA COUNTY PUBLIC HOSPITAL BOARD  
 REQUEST FOR STATEMENTS OF QUALIFICATIONS for  
 ARCHITECTURAL AND ENGINEERING SERVICES

PROJECT ANNOUNCEMENT: The Sarasota County Public Hospital District d/b/a Sarasota Memorial Health Care System and its governing board (collectively, “the Hospital”), the Sarasota County Public Hospital Board, located in Sarasota County, Florida, is requesting and accepting statements of qualifications from Architectural/Engineering consulting firms under the provisions of the Consultants’ Competitive Negotiation Act, which is codified in Section 287.055, Florida Statutes.

SARASOTA MEMORIAL HOSPITAL – SOUTH COUNTY HOSPITAL CAMPUSES

1. NORTH PORT CAMPUS SUMTER BLVD. (Sumter Campus)
2. SARSOTA MEMORIAL HOSPITAL -WELLEN PARK CAMPUS (WP Campus)

GENERAL PROJECT DESCRIPTION:

The scope of work includes professional architectural and engineering services for the development of up to two, full service, acute care hospitals located and described in the DETAILED PROJECT DESCRIPTION below for each campus.

DETAILED PROJECT DESCRIPTION for the Sumter campus:

The scope of work for this project located at 4900 N. Sumter Blvd, North Port, FL 34286 (Sumter Campus) includes professional architectural and engineering services for the development of an approximately 32-acre site to possibly include a 200-250 bed acute care hospital of approximately 350,000 square feet. The Sumter Campus may also include an Emergency Care Center with approximately 35 emergency care treatment rooms and 24-bed observation unit. The master site planning, professional architectural and engineering services will include, but are not limited to, site master planning, re-zoning applications, City presentations, public meetings, community meetings, programming, conceptual design, schematic design, design development, construction documents, and construction administration for all master planning, architectural, interior design, civil, site work, and site work infrastructure. The site work infrastructure includes, but is not limited to, public utilities, communications providers,

mechanical, electrical, plumbing, fire protection, medical gasses, emergency back-up power and structural design work for the development of the NP Campus, related medical and business services, and the support services required for each, with a flexible design that allows for expansion to support the long-term growth of the community. The Sumter Campus may also include a 600-800 car parking deck, surface parking for approximately 500-700 vehicles, an approximately 22,000-square-foot Energy Plant, an approximately 60,000-square-foot medical office building, optional pedestrian bridges to potentially connect the parking deck, medical office building and Sumter Campus. The scope of work may include additional buildings and services as part of the ongoing master planning for the NP Campus site and programming of services. Special attention will be necessary for evaluating the impact of site readiness for the Sumter Campus.

**DETAILED PROJECT DESCRIPTION for the WP campus:**

The scope of work for this project located at 7900 S. Tamiami Trail, Venice FL 34293 (WP Campus) includes professional architectural and engineering services for the development of an approximately 28-acre site to possibly include a 200-250 bed acute care hospital of approximately 350,000 square feet. The WP Campus may also include an Emergency Care Center with approximately 35 emergency care treatment rooms and 24-bed observation unit. The master site planning, professional architectural and engineering services will include, but are not limited to, site master planning, re-zoning applications, City presentations, public meetings, community meetings, programming, conceptual design, schematic design, design development, construction documents, and construction administration for all master planning, architectural, interior design, civil, site work, and site work infrastructure. The site work infrastructure includes, but is not limited to, public utilities, communications providers, mechanical, electrical, plumbing, fire protection, medical gasses, emergency back-up power and structural design work for the development of the WP Campus, related medical and business services, and the support services required for each, with a flexible design that allows for expansion to support the long-term growth of the community. The WP Campus may also include a 600-800 car parking deck, surface parking for approximately 500-700 vehicles, an approximately 22,000-square-foot Energy Plant, an approximately 60,000-square-foot medical office building, optional pedestrian bridges to potentially connect the parking deck, medical office building and WP Campus. The scope of work may include additional buildings and services as part of the ongoing master planning for the WP Campus site, and programming of services.

**PROPOSED SCHEDULE:** The timelines to design and build these potential facilities and services will be determined by the results of the current master planning services currently

underway and potential revisions that master planning project as the Sumter Campus and WP Campus developments progress. In addition, the proposed schedule and scope of work will be determined, and may be subject to change, based on a flexible strategic plan, and the timing of regulatory and other necessary approvals or site readiness factors. Project development, including professional general contracting services, is contingent upon availability of funds.

**SUBMISSION NOTICE:** Architectural/Engineering consulting firms shall submit qualifications for both the Sumter Campus and the WP Campus and shall NOT limit their submission to one of the proposed projects. The Hospital, acting in its best interest, shall select one Architectural / Engineering consulting firm for both the Sumter Campus and the WP Campus.

Firms interested in being considered as candidates are required to submit six (6) bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida design licensure and corporate registration certificates.
2. Proof of insurance in the following categories; Commercial General Liability to include, each occurrence \$1,000,000, Damage to Rented Premises, \$300,000 each occurrence, Medical Expenses to any one person \$10,000, Personal Injury \$1,000,000, General Aggregate \$2,000,000, Umbrella Liability, \$5,000,000, each occurrence. Worker Compensation & Employee Liability insurance is minimum \$1,000,000 each occurrence, \$1,000,000 each accident, \$1,000,000 disease each employee, \$1,000,000 disease policy limit. The Firm's insurer(s) shall be rated A- (or better) by A.M. Best.
3. A separate statement as to whether the Firm is a certified Minority Business Enterprise. If your Firm claims MBE, WMBE status, a copy of your Firm's current, valid MBE, WMBE certificate is required as part of the submission package.
4. Proposed design team to include individual resumes with relevant design experience as follows:
  - a. Professional architectural / engineering design services of an acute-care hospital campus as described above;
  - b. Programming of an acute-care hospital and required support services, preferably in the state of Florida; and
  - c. Examples of a similarly completed design of a licensed acute-care hospital campus project that includes:
    - i. A licensed acute-care hospital and agency-required support services, preferably in the state of Florida;
    - ii. A multi-level parking deck;
    - iii. A medical office building;
    - iv. Elevated pedestrian bridges;
    - v. Site development to include but not limited to: Roadways, Surface parking, Utilities, Lighting, Landscaping and Drainage.

5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified. References shall NOT be Sarasota Memorial Hospital employees or Sarasota Memorial Hospital elected public officials. Please ensure your references are updated and willing to reply. Reference responses are mandatory.

6. Design and permitting experience within the County of Sarasota, Florida, and other applicable permitting agencies.

7. Location of the design Firm's main office, and proposed project team office location (if different from main).

8. An explanation of how the Firm intends to respond expeditiously on urgent project matters, and a summary of the Firm's approach to this particular project.

Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Applications on any other form may not be considered, and applications that do not comply with the above instructions may be disqualified. Submissions must be complete and on time. Incomplete or tardy submissions will be returned unopened, and the responding Firm disqualified. Submittals are part of the public record. Application materials will not be returned unless tardy or incomplete.

The basis for selection criteria for this project includes, but is not limited to:

1. The Firm's relevant design and master planning experience as it relates to the above referenced projects;
2. The Firm's relevant experience with regulatory agencies with applicable jurisdictional authority, including, but not limited to federal, state, and local agencies;
3. The Firm's depth of design team and the resources available for this assignment. This includes recent, current, and projected workloads of the Firm;
4. The location of the lead designer's main / corporate office;
5. The Firm's approach to these particular projects;
6. The Firm's ability to respond quickly;
7. Whether or not the lead Firm is an MBE / WMBE (valid certificate from the Office of Supplier Diversity required); and
8. The volume of previously awarded projects to the Firm by the Hospital.

It is the Hospital's responsibility to negotiate a fair, competitive and reasonable compensation per Section 287.055, Florida Statutes. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the rankings and proposals requested from the shortlisted firms based upon a scope of services document to be provided at the time of negotiations.

All interested Firms are further informed as follows:

1. The Hospital reserves the right to reject any or all complete or partial submittals, at any time during this process.

2. The Hospital reserves the right to request additional information beyond the data set forth above.

3. Questions regarding submissions shall be directed only to Thomas Perigo, (941)917-1804.

Two Separate Written Submissions shall be submitted for the below referenced projects:

Sumter Campus project

WP Campus project

Submissions shall be titled:

Statement of Qualifications for ARCHITECTURAL AND ENGINEERING SERVICES Sarasota Memorial Health Care System Sarasota Memorial Hospital – Sumter Campus

Statement of Qualifications for ARCHITECTURAL AND ENGINEERING SERVICES Sarasota Memorial Health Care System Sarasota Memorial Hospital – Wellen Park Campus

4. Submittals must be received by the Hospital no later than 3:30 PM, on Thursday, July 18, 2024. Submit statements to Thomas Perigo, Executive Director of Architecture and Construction, 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will be returned unreviewed.

5. Only Thomas Perigo shall be contacted with regard to this Request. Requests for meetings by individual Firms will not be granted. No communication shall take place between the applicants and the Hospital's Selection Committee members or employees of the Hospital. Failure to comply could result in immediate disqualification at the discretion of the Executive Director of Architecture and Construction.

6. Interested persons should contact Thomas Perigo, (941)917-1804 with any project-related questions.

7. The selection committee will meet in a public meeting on Thursday, August 1, 2024 from 8:00 a.m. to 5:00 p.m. for the PROJECTS. The public meeting will be held in Sarasota Memorial Hospital's Waldemere Tower conference room, located on the first floor next to the hospital auditorium at 1700 S. Tamiami Trail, Sarasota, FL 34239 to hear presentations, discuss and announce the top three ranked Firms (unless fewer than three Firms deliver submittals) deemed to be the most highly qualified to perform the required services with whom the Hospital will subsequently engage in contract negotiations. If there are less than three (3) Firms responding, the Selection Committee shall also evaluate current statements of qualifications and performance data on file with the Hospital in determining which Firm is the most highly qualified to perform the required services and announce the top three ranked Firms. All interested parties are invited to attend.

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD  
REQUEST FOR STATEMENTS OF QUALIFICATIONS FOR  
PROFESSIONAL GENERAL CONTRACTING SERVICES  
PROJECT ANNOUNCEMENT:** The Sarasota County Public Hospital District d/b/a Sarasota Memorial Health Care System and its governing board (collectively, “the Hospital”), the Sarasota County Public Hospital Board, located in Sarasota County, Florida, is requesting and accepting statements of qualifications from Professional General Contracting Consulting Firms under the provisions of the Consultants’ Competitive Negotiation Act, which is codified at Section 287.055, Florida Statutes.

**SARASOTA MEMORIAL HOSPITAL – SOUTH COUNTY  
HOSPITAL CAMPUSES:**

1. NORTH PORT SUMTER ROAD CAMPUS (Sumter Campus)

2. SARSOTA MEMORIAL HOSPITAL WELLEN PARK CAMPUS (WP Campus)

**GENERAL PROJECT DESCRIPTION:**

The scope of work includes professional general contracting services for the development of up to two, full service, acute care hospitals located and described in the DETAILED PROJECT DESCRIPTION below for each campus.

**DETAILED PROJECT DESCRIPTION** for the Sumter campus:

The scope of work for this project, located at 4900 N. Sumter Blvd, North Port, FL 34286 (Sumter Campus), includes professional general contracting services for the development of an approximately 32-acre site to possibly include a 200-250 bed acute care hospital of approximately 350,000 square feet. The Sumter Campus may also include an Emergency Care Center with approximately 35 emergency care treatment rooms and 24-bed observation unit. The scope of professional general contracting services includes but is not limited to conceptual cost modeling, pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control. The Sumter Campus may also include a 600-800 car parking deck, surface parking for approximately 500-700 vehicles, an approximately 22,000-square-foot Energy Plant, an approximately 60,000-square-foot medical office building, optional pedestrian bridges to potentially connect the parking deck, medical office building and Sumter Campus. The scope of work may include additional buildings and services whether contiguous to the hospital, or freestanding, and programming of their services. Special attention will be necessary for evaluating the impact of site readiness for the Sumter Campus.

**DETAILED PROJECT DESCRIPTION** for the WP campus:

The scope of work for this project, located at 7900 S. Tamiami Trail, Venice, Florida 34293 (WP Campus), includes professional general contracting services for the development

of an approximately 28-acre site, to possibly include a 200-250 bed acute care hospital of approximately 350,000 square feet. The WP Campus may also include an Emergency Care Center with approximately 35 emergency care treatment rooms and 24-bed observation unit. The scope of professional general contracting services includes but is not limited to conceptual cost modeling, pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control. The WP Campus may also include a 600-800 car parking deck, surface parking for approximately 500-700 vehicles, an approximately 22,000-square-foot Energy Plant, an approximately 60,000-square-foot medical office building, optional pedestrian bridges to potentially connect the parking deck, medical office building and WP Campus. The scope of work may include additional buildings and services whether contiguous to the hospital, or freestanding, and programming of their services.

**PROPOSED SCHEDULE:** The timelines to design and build these potential facilities and services, will be determined by the results of the current master planning services currently underway and potential revisions to that master planning project as the Sumter Campus and WP Campus developments progress. In addition, the proposed schedule will be determined, and may be subject to change, based on the timing of regulatory and other necessary approvals or site readiness factors. Project development, including professional general contracting services, is contingent upon availability of funds.

**Submission Notice:** Professional General Contracting Consulting Firms shall submit qualifications for both the Sumter Campus and the WP Campus and shall NOT limit their submission to one of the proposed projects. The Hospital, acting in its best interest, shall select one professional general contracting consulting firm for both the Sumter Campus and the WP Campus.

Firms interested in being considered as candidates are required to submit six (6) bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida current construction licensure and current corporate registration certificates.
2. Completed AIA Document A305 Contractor’s Qualification Statement, latest edition.
3. Proof of general, automobile and workers’ compensation liability insurance coverage.
4. A complete list of all the firm’s relevant insurance coverage statements that provide minimum coverage limits that;
  - a. Provide proof that the minimum insurance coverage provided is sufficient to protect the Hospital for this project
5. Proof of current bonding capacity and current usage of bonding capacity and available bonding capacity remaining

6. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.

7. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified. References shall NOT be Sarasota Memorial Hospital employees or Sarasota Memorial Hospital elected public officials. Please ensure your references are updated and willing to reply. Reference responses are mandatory.

8. Construction and permitting experience within the City of North Port, FL and County of Sarasota, Florida and other applicable permitting agencies.

9. Resumes of key personnel that would be used on this project to include their project relevant experience.

10. The firm's experience in the construction of a new Hospital project as described above.

11. Location of the firm's main office, and proposed project team office location (if different from main).

12. An explanation of how the Firm intends to respond expeditiously on urgent project matters and a summary of the Firm's approach to this particular project.

13. Site construction management experience to include but not limited to, Structure, Roadway Access, Surface parking, Private Utilities, Public Utilities, Exterior Lighting, Landscaping and Drainage, and Retention.

Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Applications on any other form may not be considered, and applications that do not comply with the above instructions may be disqualified. Submissions must be complete and on time. Incomplete or tardy submissions will be returned unopened and the responding Firm disqualified. Submittals are part of the public record. Application materials will not be returned.

The basis for selection criteria for this project includes, but is not limited to:

1. The Firm's relevant professional general contracting experience as it relates to the above referenced project;
2. The Firm's relevant professional general contracting experience with regulatory agencies with applicable jurisdictional authority, including, but not limited to, federal, state, and local agencies;
3. The Firm's depth of construction management team and the resources available for this assignment. This includes recent, current, and projected workloads of the Firm;
4. The location of the Professional General Contracting Firm's main / corporate office;
5. The Firm's approach to these particular projects;
6. The Firm's ability to respond quickly;

7. Whether or not the lead Firm is an MBE / WMBE (valid certificate from the Office of Supplier Diversity required); and

8. The volume of previously awarded projects to the Firm by the Hospital.

9. The Firm's available bonding capacity for this project.

It is the Hospital's responsibility to negotiate a fair, competitive, and reasonable compensation per Section 287.055, Florida Statutes. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the shortlisted firms based upon a scope of services document to be provided at the time of negotiations.

All interested Firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The Hospital reserves the right to request additional information beyond the data set forth above.
3. Questions regarding submissions shall be directed only to Thomas Perigo, (941)917-1804.

Two Separate Written Submissions shall be submitted for the below referenced projects:

Sumter Campus project

WP Campus project

Submissions shall be titled:

Statement of Qualifications for GENERAL CONTRACTING SERVICES Sarasota Memorial Health Care System Sarasota Memorial Hospital - Sumter Campus

Statement of Qualifications for GENERAL CONTRACTING SERVICES Sarasota Memorial Health Care System Sarasota Memorial Hospital – Wellen Park Campus

1. Submittals must be received by the Hospital no later than 3:30 p.m., on Thursday, July 18, 2024. Submit statements to Thomas Perigo, Executive Director of Architecture and Construction, 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.

2. Only Thomas Perigo shall be contacted with regard to this Request. Requests for meetings by individual Firms will not be granted. No communication shall take place between the applicants and the Hospital's Selection Committee members or employees of the Hospital. Failure to comply could result in immediate disqualification at the discretion of the Executive Director of Architecture and Construction.

3. Interested persons should contact Thomas Perigo, (941)917-1804 with any project-related questions.

4. The selection committee will meet in a public meeting on Thursday, Monday July 29, 2024 from 8:00 a.m. to 5:00 p.m. for the PROJECTS. The public meeting will be held in Sarasota Memorial Hospital's Waldemere Tower conference room,

located on the first floor next to the hospital auditorium, at 1700 S. Tamiami Trail, Sarasota, FL 34239 to hear presentations, discuss and announce the top three ranked Firms (unless fewer than three Firms deliver submittals) deemed to be the most highly qualified to perform the required services with whom the Hospital will subsequently engage in contract negotiations. If there are less than three (3) Firms responding, the Selection Committee shall also evaluate current statements of qualifications and performance data on file with the Hospital in determining which Firm is the most highly qualified to perform the required services and announce the top three ranked Firms. All interested parties are invited to attend.

**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., Friday, June 14, 2024, and 3:00 p.m., Thursday, June 20, 2024.

Rule No.	File Date	Effective Date
6A-7.0715	6/20/2024	7/10/2024
12AER24-1	6/20/2024	7/1/2024
12E-1.008	6/20/2024	7/10/2024
14-73.001	6/19/2024	7/9/2024
61G1-16.005	6/17/2024	7/7/2024
61J1-11.001	6/18/2024	7/8/2024
64B4-3.001	6/20/2024	7/10/2024
67-21.002	6/17/2024	7/7/2024
67-48.002	6/17/2024	7/7/2024
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
Rule No.	File Date	Effective Date
40B-400.091	2/8/2024	**/**/****
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
40E-4.091	6/26/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****

62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
RULE NO.: RULE TITLE:**

62-673.320 Permitting of Phosphogypsum Stack Systems  
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF INTENT TO GRANT VARIANCE

The Department of Environmental Protection (Department) gives notice of its intent to grant a variance under Section 403.201, Florida Statutes (F.S.), from the provisions of section 403.087 and 403.088, F.S., and Rules 62-620.300, 62-620.301, and 62-673.320, Florida Administrative Code (F.A.C.). The file has been assigned, OGC file number 24-1913. The variance would authorize Mosaic Fertilizer, LLC., to construct three HDPE lined interim holding ponds within the closed phosphogypsum stack system at its Nichols Facility located at 5000 County Road 676, Nichols, FL 33863, permit number FL0030139, and would authorize a maximum design level of 267 ft., NGVD, for the North Cell of the East Phosphogypsum Stack system at the Riverview Chemical Plant at 8813 US Highway 41 Riverview, FL 33569, permit number, FL0000761. The grant of a variance would allow for modification and construction prior to obtaining a final permit, in order to timely meet water management requirements under Rule 62-672.780, F.A.C. The variance is being granted because the petitioner has demonstrated the variance is necessary to relieve or prevent hardship. The Department’s file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Division of Water Resource Management, Phosphate Management Program, 13051 N. Telcom Parkway, Suite 101, Temple Terrace, FL 33637.

The Department will grant the proposed variance unless a timely petition for administrative hearing is filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department’s action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the



Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the notice or receipt of written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice regardless of the date of publication. The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) the name and address of each agency affected and each agency's file or identification number, if known; (b) the name, address, and telephone number of the petitioner; (c) the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; (d) an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (e) a statement of when and how the petitioner received notice of the agency decision; (f) a statement of all disputed issues of material fact. If there are none, the petition must so indicate; (g) a concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (h) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (i) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

Because the administrative hearing process is designed to determine final agency action on the application, the filing of a petition for an administrative hearing means that the Department's final action may be different from the position taken in this notice. Persons whose substantial interests will be

affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under Section 120.573, F.S. is not available.

Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap or marital status. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact DEP's Limited English Proficiency Coordinator at (850)245-2118 or LEP@FloridaDEP.gov. If you have a hearing or speech impairment, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

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DEPARTMENT OF ENVIRONMENTAL PROTECTION  
RULE NOS.:RULE TITLES:

62-620.300 General Prohibitions

62-620.301 General Provisions

STATE OF FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION NOTICE OF INTENT  
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#### FLORIDA HOUSING FINANCE CORPORATION

##### Petition for Declaratory Statement

NOTICE IS HEREBY GIVEN that on June 18, 2024, the Florida Housing Finance Corporation, received a Petition for Declaratory Statement from IMF Doral, LLC.

A copy of the Petition may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at [CorporationClerk@floridahousing.org](mailto:CorporationClerk@floridahousing.org) or Florida Housing Finance Corporation, Attn: Corporation Clerk, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

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#### DEPARTMENT OF FINANCIAL SERVICES

##### FSC - Financial Institution Regulation

##### Office of Financial Regulation

##### NOTICE OF FILINGS

##### Financial Services Commission

##### Office of Financial Regulation

June 21, 2024

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a

hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		General Counsel's Office
Tallahassee, Florida 32314-8050		The Fletcher Building, Suite 504
Phone: (850)410-9889		101 East Gaines Street
Fax: (850)410-9663		Tallahassee, Florida 32399-0379
		Phone: (850)410-9889

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact the Agency Clerk no later than seven (7) days prior to the filing deadline or proceeding, at the Office of Financial Regulation, The Fletcher Building, Suite 504, 101 East Gaines Street, Tallahassee, Florida 32399-0379, Phone: (850)410-9889, or by Email: [agency.clerk@flofr.gov](mailto:agency.clerk@flofr.gov)

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., July 11, 2024):

**APPLICATION WITHDRAWN**

Application For Indirect Change of Control

Financial Institution to be Acquired: OptimumBank Holdings, Inc. (Optimum Bank), Ft. Lauderdale, Florida

Proposed Purchasers: Moishe Gubin, c/o OptimumBank, Ft. Lauderdale, Florida

Received: September 7, 2023

Withdrawn: June 20, 2024

Distribution: (Publication Not Required)

Federal Deposit Insurance Corporation, Atlanta, GA

Federal Reserve Bank of Atlanta, Atlanta, GA

Comptroller of the Currency, Atlanta, GA

Richard Pearlman

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**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.

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