SOUTH FLORIDA WATER MANAGEMENT DISTRICT
3301 Gun Club Road
West Palm Beach, Florida

IN THE MATTER OF:

EMERGENCY AUTHORIZATION FOR PROCUREMENT OF GOODS AND SERVICES MADE NECESSARY BY 2026 FALL FLOODING
_____/

SFWMD ORDER NO. 2026-081-DAO

RECEIVED
DISTRICT CLERK'S OFFICE
5:13 pm Nov 3, 2026
SOUTH FLORIDA
WATER MANAGEMENT DISTRICT

EMERGENCY FINAL ORDER

Under the authority of the State of Florida Executive Order No. 26-227, or subsequent related orders, and section 120.569(2)(n), Florida Statutes, the South Florida Water Management District ("District") enters this Order authorizing the emergency procurement of goods and services and suspending rules and policies requiring advertisement or competition due to the impacts and time constraints caused by the 2026 Fall Flooding ("the Flooding").

FINDINGS OF FACT

1. On November 2, 2026, Governor DeSantis issued Executive Order 26-227 ("the Executive Order") declaring a state of emergency based upon the serious threat to the public health, safety, and welfare posed by the Flooding. The Flooding has impacted the following counties within the District's jurisdiction: St. Lucie, Martin, Palm Beach, Hendry, Glades, Highlands, and Okeechobee ("the Emergency Areas").

2. A broad area of low pressure moving across the Florida Peninsula from October 31st through November 2nd produced widespread heavy rainfall across portions of Florida with several occurrences of consequential flooding and several flash flood

warnings. Additional rounds of heavy rain and thunderstorms are forecasted for portions of Florida which will further exacerbate ongoing flood conditions over already impacted and vulnerable metropolitan areas. Parts of the Emergency Areas have received more than ten inches of rain in the span of 36 hours. The Flooding has caused widespread damage and poses an immediate danger to the lives and property of persons throughout the Emergency Areas.

3. As provided in the Executive Order, the Governor found that the special duties and responsibilities of some agencies, including the District, in responding to disasters may require them to deviate from the statutes and rules they administer. More specifically, the Executive Order gives each political subdivision of the State authority to waive the procedures and formalities otherwise required by law in relation to performing public work and taking necessary action to ensure the health, safety, and welfare of the community. This includes entering into contracts, incurring obligations, employing permanent and temporary workers, utilizing volunteer workers, renting equipment, acquiring and distributing, with or without compensation, supplies, materials, and facilities, and appropriating and expending public funds.

4. The District's Executive Director has determined that an immediate danger to the public health and safety, or other substantial loss to the public, exists because the Flooding poses a serious and imminent threat to District canals, works, lands, equipment, and facilities thereby threatening the Distrcit's ability to operate the Central & Southern Florida Flood Control System and to perform other essential functions.

ULTIMATE FACTS AND CONCLUSIONS OF LAW

5. The District issues this Order to carry out the directives in the Governor's Executive Order. Additionally, the District has authority to issue this Order under sections 120.569(2)(n), 252.46, 373.119(2), and 373.439, Florida Statutes.

6. The Executive Order permits agencies, including the District, to suspend the provisions of any regulatory statute prescribing the procedures for conducting state business, or the orders or rules of the agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency. The Executive Order gives the District further authority to take formal action by emergency order to cope with the emergency.

7. Based on the above findings of fact, and in order to protect the public health, safety, and welfare, and avoid delaying, preventing, or hindering necessary action in coping with the emergency, it is both reasonable and appropriate to waive any applicable statute, including, but not limited to, chapters 255 and 287, Florida Statutes, and any District rule, policy, or order governing the procurement of equipment, services, and commodities necessitated by this emergency.

ORDER

THEREFORE, IT IS ORDERED that:

1. Effective upon execution of this Order, and solely for procurements necessitated by the Flooding described in paragraph 2(a), all requirements for advertisement and competition for the procurement of equipment, services, and commodities set forth in any statute, including, but not limited to, chapters 255 and 287,

Florida Statutes, and any District rule, policy, or order are hereby waived for the duration of this Order.

2. District staff may procure equipment, services, and commodities necessitated by this emergency without advertisement or competition as described below:

a. This authorization applies only to the procurement of equipment, services, and commodities necessary to repair, maintain, and restore District canals, works, lands, equipment, and facilities to full operational condition.

b. All such procurements shall be reported to the Governing Board prior to or at the next regularly scheduled Governing Board meeting.

c. This authorization shall expire on January 1, 2027, unless otherwise extended or terminated by the District's Executive Director or Governing Board.

DONE AND ORDERED on this 3rd day of November 2026, in West Palm Beach, Florida.

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT

By: _____
Drew Bartlett
Executive Director

NOTICE OF RIGHTS

Any party substantially affected by this Order has the right to seek judicial review under section 120.68, Florida Statutes, by filing a notice of appeal under Rule 9.110(c) and 9.190(b)(1), Florida Rules of Appellate Procedure, with the Clerk of the DISTRICT at 3301 Gun Club Road, West Palm Beach, Florida 33406, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this Order is filed with the Clerk of the DISTRICT.