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LEGISLATIVE ACTION

Senate

House

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The Conference Committee on SB 2134 recommended the following:

1 **Senate Conference Committee Amendment (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Paragraphs (e) and (f) of subsection (6) of
7 section 627.351, Florida Statutes, are repealed.

8 Section 2. Section 627.3514, Florida Statutes, is created
9 to read:

10 627.3514 Standards for procurement by Citizens Property
11 Insurance Corporation.-

12 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
13 that Citizens Property Insurance Corporation, hereinafter



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14 "Citizens," maintain a transparent, accountable, and competitive
15 procurement process to ensure public confidence in the process
16 by which goods and services are procured.

17 (2) DEFINITIONS.—As used in this section, the term:

18 (a) "Bid" means an offer submitted by a vendor in response
19 to a competitive solicitation.

20 (b) "Board" means the Citizens' board of governors
21 appointed pursuant to s. 627.351(6).

22 (c) "Competitive solicitation" means an invitation to bid,
23 a request for proposal, an invitation to negotiate, or a reverse
24 auction.

25 (d) "Competitive solicitation response" means a bid or
26 proposal submitted by a vendor in response to a competitive
27 solicitation.

28 (e) "Contract" means a written agreement between Citizens
29 and a vendor for the provision of goods or services.

30 (f) "Contract manager" means the individual employed by
31 Citizens who is responsible for overseeing performance of the
32 contract terms and conditions, reviewing and validating all
33 vendor invoices, tracking all expenditures and payments, and
34 serving as a liaison with the vendor.

35 (g) "Contract renewal" means an agreement to renew a
36 contract.

37 (h) "Florida business enterprise" means a business that has
38 or maintains its primary corporate office or home office within
39 this state.

40 (i) "Florida small business enterprise" means a business
41 that meets all of the following criteria:

42 1. Has or maintains its primary corporate office or home



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43 office within this state;

44 2. Is engaged in commercial transactions;

45 3. Has annual gross sales or receipts of less than \$6
46 million averaged over the past 3 years of the business's actual
47 existence;

48 4. Has a primary owner who owns 51 percent or more of the
49 business or its common stock and who has a personal net worth
50 less than \$750,000, excluding primary personal residence and
51 stock value of the Florida small business enterprise; and

52 5. Maintains the required licenses and necessary industry
53 expertise to perform.

54
55 If the business is a wholly or partially owned subsidiary, the
56 parent business must also meet the criteria of subparagraphs 1.-
57 5.

58 (j) "Goods" mean all tangible or movable property or
59 things, including software, which are purchased or leased. The
60 term does not include investment securities, insurance, loans,
61 credit, trust indentures, or financial service providers or
62 underwriters provided for in s. 627.3513, whether or not
63 evidenced by a physical certificate or contract.

64 (k) "Informal bid" or "informal solicitation" means a
65 written or oral quotation of cost which is documented and
66 maintained by Citizens.

67 (l) "Invitation to bid" means a written or electronically
68 posted solicitation for competitive sealed bids.

69 (m) "Invitation to negotiate" means a written or
70 electronically posted solicitation for competitive sealed
71 replies to select one or more vendors with which to commence



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72 negotiations for the procurement of commodities or contractual
73 services.

74 (n) "Minority business enterprise" means a business that
75 meets all of the following criteria:

76 1. Engages in commercial transactions.

77 2. Is at least 51 percent owned by a minority person, as
78 defined in s. 288.703, who is a citizen of the United States.

79 3. Is managed and controlled by a minority person, as
80 defined in s. 288.703, who is a citizen of the United States.

81 (o) "Proposal" means the documents submitted by the vendor
82 in response to a competitive solicitation to be used as the
83 basis for entering into a contract.

84 (p) "Request for proposal" means a written or
85 electronically posted solicitation for competitive sealed
86 proposals.

87 (q) "Reverse auction" means an online auction process in
88 which bidders simultaneously submit bids to a company without
89 knowledge of the amount bid by other participants and, unlike a
90 typical auction, prices decrease as the bidding process
91 continues.

92 (r) "Service" means the rendering by a vendor of time and
93 effort other than the furnishing of specific goods. Services
94 include, but are not limited to, insurance brokerage services,
95 evaluations, consultations, maintenance, accounting, security,
96 management systems, management consulting, educational training
97 programs, research and development studies or reports, and
98 professional, technical, and social services. Services do not
99 include the services provided by insurance agents appointed by
100 Citizens.



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101 (s) "Vendor" means a person or entity that has a contract
102 with Citizens or that is under consideration for a contract,
103 including, but not limited to, insurance companies, take-out
104 companies, insurance agents, adjusting firms, consultants,
105 independent adjusters, contractors, law firms, and other service
106 providers. The term also includes any employee, agent, corporate
107 officer, owner, or person acting on behalf of the vendor, or any
108 parent or subsidiary corporation of the vendor.

109 (3) GENERAL RULES.—

110 (a) This section applies to the purchase of all goods or
111 services by Citizens, except:

112 1. Procurements of Citizens' office space, which are
113 governed by the provisions of chapter 255, except that the
114 appeal process of subsection (6) applies; and

115 2. Claims payments made directly to an insured, or to a
116 vendor selected by an insured.

117 (b) Purchases that equal or exceed \$2,500, but that are
118 less than \$35,000, shall be made by receipt of written quotes,
119 written record of telephone quotes, or informal bids, whenever
120 practical. The procurement of goods or services valued at or
121 over \$35,000 shall be subject to competitive solicitation,
122 except in situations in which the goods or services are provided
123 by a sole source or are deemed an emergency purchase, the
124 services are exempt from competitive solicitation requirements
125 under s. 287.057(3)(f), the procurement of services is subject
126 to s. 627.3513, or the procurement is a government contract as
127 provided in paragraph (7)(e).

128 (c) Purchases of goods or services that have an aggregate
129 value of at least \$10 million or a duration exceeding 8 years



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130 must be accompanied by a business case analysis before review
131 and approval by the Citizens' board.

132 (d) Purchases of goods or services valued at or over
133 \$100,000 are subject to approval by the Citizens' board.

134 (e) Procurement of office space is subject to the
135 provisions of chapter 255, including provisions governing the
136 authority to hold title to real property. A public bid opening
137 of all responding bids is required pursuant to chapter 255.

138 (f) Procurements of goods or services may not be divided or
139 allocated in order to circumvent the provisions of this section.
140 The life of the contract, including renewals, must be included
141 when determining the dollar amount for the procurement method.

142 (g) In addition to any contractual renewal periods, a
143 contract may be extended for a period not to exceed 6 months
144 under the same terms and conditions set forth in the initial
145 contract. There may be only one extension of a contract unless
146 the failure to meet the criteria set forth in the contract for
147 completion of the contract is due to events beyond the control
148 of the vendor.

149 (h) A contract in excess of \$35,000 must have an employee
150 from the business unit appointed as contract manager.

151 (i) Citizens may:

152 1. Amend an existing contract on terms and costs more
153 beneficial to Citizens if the terms and costs of the contract
154 are not extended or increased; or

155 2. Renew a contract under the renewal terms provided by the
156 contract.

157 (j) Goods or services must not be received before the
158 issuance of a purchase order or execution of a contract.



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159 (k) A Citizens' board member, officer, or employee may not
160 procure, purchase, or acquire any goods or services or make any
161 contract in any manner that is not in compliance with this
162 section.

163 (4) CONTRACT REVIEW.—Citizens' legal department and
164 purchasing department must jointly prepare any contract for the
165 procurement of goods or services. The legal department must
166 review and approve a contract before it is executed.

167 (5) COMPETITIVE SOLICITATION.—

168 (a)1. The procurement of goods or services valued at or
169 over \$35,000 is subject to competitive solicitation, except in
170 situations in which the goods or services are exempt from
171 competitive solicitation requirements as specified in s.
172 287.057(3)(f). A public bid opening is not required except as
173 provided in paragraph (3)(e). A competitive solicitation must
174 include a contract term.

175 2. The Citizens' purchasing department shall coordinate and
176 manage the competitive solicitation process. The requirements of
177 paragraphs (b) and (c) must be addressed in the development of a
178 competitive solicitation.

179 (b) The competitive solicitation process shall use one of
180 the following methods: an invitation to bid, a request for
181 proposal, an invitation to negotiate, or a reverse auction.

182 1.a. An invitation to bid shall be used if Citizens has the
183 ability to establish precise specifications defining the actual
184 goods required or defining the scope of work for which a service
185 is required.

186 b. An invitation to bid must include a detailed description
187 of the goods or services sought and a statement indicating



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188 whether Citizens contemplates renewal of the contract.

189 c. A bid submitted in response to an invitation to bid
190 which contemplates renewal of the contract must include the
191 price for each year that the contract may be renewed. An
192 evaluation-of-responsive bid is limited to the total cost for
193 each year of the contract, including renewal years.

194 2. A request for proposal shall be used if Citizens'
195 requirements can be specifically defined.

196 a. Before issuing a request for proposal, Citizens shall
197 determine and specify in writing the reasons that procurement by
198 invitation to bid is not practicable. A request for proposal
199 must include a detailed statement describing the business unit
200 requirements and needs for which goods or services are being
201 sought, the relative importance of price and other evaluation
202 criteria, and a statement indicating whether Citizens
203 contemplates renewal of the contract.

204 b. Criteria that must be used for an evaluation of a
205 proposal include, but are not limited to:

206 (I) Price, which must be specified in the proposal;

207 (II) If Citizens contemplates renewal of the contract, the
208 price for each year that the contract may be renewed;

209 (III) Consideration of the total cost for each year of the
210 contract, including renewal years; and

211 (IV) How well the proposed goods or services meet Citizens'
212 requirements.

213 c. The contract shall be awarded by written notice to the
214 vendor whose proposal is determined in writing to be the most
215 advantageous to Citizens, taking into consideration the price
216 and other criteria set forth in the request for proposal.



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217 3.a. An invitation to negotiate may be used if an
218 invitation to bid or request for proposal is not practicable.
219 Before issuing an invitation to negotiate, the executive
220 director of Citizens must determine and specify in writing the
221 reasons that procurement by invitation to bid or request for
222 proposal is not applicable. The invitation to negotiate must
223 describe the questions being explored, the facts being sought,
224 the specific goals or problems that are the subject of the
225 solicitation, and the criteria that shall be used to determine
226 the acceptability of the reply and guide the selection of the
227 vendor with which Citizens will negotiate.

228 b. Citizens shall evaluate replies against the established
229 evaluation criteria identified in the invitation-to-negotiate
230 document. Citizens may select one or more vendors with which to
231 commence negotiations. After negotiations are conducted,
232 Citizens shall award the contract to the vendor determined to
233 provide the best value to Citizens.

234 4. In order for the purchasing department to initiate the
235 competitive solicitation process, the following information must
236 be provided by the business unit if practicable:

237 a. Business and technical requirements and scope of work.
238 This information must avoid use of brand names, unless used only
239 as an indication of desired functionality or quality and the
240 brand names are qualified with the phrase "or equivalent";

241 b. Performance criteria;

242 c. Evaluation criteria;

243 d. Specific deliverables;

244 e. Service-level requirements; and

245 f. Any information necessary to explain the business need



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246 or intended purpose.

247 5. Citizens shall create a process for the evaluation of
248 vendor proposals appropriate for the goods or services being
249 procured and coordinate the receipt and evaluation of responses
250 to the competitive solicitation. The process shall include the
251 criteria to be evaluated and the method of evaluation and must
252 include pricing as separately scored criteria. A competitive
253 solicitation is subject to the requirements of chapter 286.

254 6. Citizens shall give public notice of a competitive
255 solicitation by electronically posting the competitive
256 solicitation on its website and the state's procurement website.
257 Citizens shall post the notice at least 10 business days before
258 the date set for receipt of bids, proposals, or replies unless
259 Citizens determines in writing that a shorter period is
260 necessary to avoid harming the interests of the state.

261 7. A respondent to a solicitation under this section or any
262 person acting on behalf of the respondent may not communicate
263 with any member of the board, any employee of Citizens, or any
264 public official, officer, or employee of the executive or
265 legislative branch of government concerning any aspect of the
266 solicitation, except a written or electronic communication to
267 the procurement officer or such communication as provided for in
268 the solicitation documents. The period of such prohibited
269 communication begins when the solicitation is issued and ends 72
270 hours after notice is given of a recommended award, a rejection
271 of all proposals, or any other decision. A violation of this
272 subparagraph may be grounds for rejecting a response.

273 8. If a tie occurs in score or in price and if price is the
274 only criterion during a competitive solicitation, Citizens shall



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- 275 determine the recommended vendor for the award based upon the
276 following criteria, listed in order of priority:
- 277 a. All goods and services of the vendor are manufactured or
278 performed in the state.
 - 279 b. Certain foreign manufacturers of the vendor have
280 employees in the state, as designated in s. 287.092.
 - 281 c. All goods and services of the vendor are manufactured or
282 performed in the United States.
 - 283 d. The vendor is a Florida small business enterprise.
 - 284 e. The vendor has implemented a drug-free workplace program
285 that meets the requirements of s. 287.087.

286
287 If none of the criteria of this subparagraph resolves the tie,
288 Citizens shall conduct a coin toss to determine the recommended
289 vendor for award. Citizens shall notify the tied vendors of the
290 tie and provide them with reasonable notice of the time and
291 location of the coin toss, which they may attend.

292 (c) If a vendor asserts that its bid contains information
293 that is confidential and exempt from the public-records
294 requirements of chapter 119, the vendor must submit with its bid
295 response a version of all bid documents which redacts such
296 information.

297 (d) For contracts executed on or after January 1, 2012,
298 Citizens shall post a copy of each contract executed, with
299 necessary redactions, on its website for public access no later
300 than 30 days after the date of execution.

301 (6) APPEAL PROCESS.—

302 (a) A respondent to a competitive solicitation may appeal
303 the award of a contract by the board, including those contracts



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304 awarded under chapter 255, if the value of the contract is
305 \$100,000 or more. The appeal must be heard by the board at a
306 publicly noticed meeting and conducted according to appeal
307 procedures established by the board. Any further legal remedy
308 shall be to the Circuit Court of Leon County, Florida.

309 (b) A respondent to a competitive solicitation may appeal
310 the award of a contract having a value at or above \$35,000 and
311 less than \$100,000 according to appeal procedures established by
312 the board. Such appeals are not required to be heard by the
313 board. Any further legal remedy shall be to the Circuit Court of
314 Leon County, Florida.

315 (c) If the original award is overturned, the contract
316 executed pursuant to the award shall be terminated.

317 (7) EXEMPTIONS FROM COMPETITIVE SOLICITATION.—The following
318 exemptions from competitive solicitation are authorized:

319 (a)1. An emergency purchase is permitted only if the
320 president of Citizens, in consultation with the chair or vice
321 chair of the board, determines in writing that an immediate
322 danger to the public health, safety, or welfare, or other
323 immediate and substantial loss to Citizens or its policyholders
324 requires emergency action, in which case Citizens may proceed
325 with the procurement of goods or services necessitated by the
326 immediate danger without receiving competitive bids or
327 proposals. Citizens shall provide a report of any emergency
328 purchase of goods or services to the board and the state's Chief
329 Financial Officer.

330 2. In any emergency purchase of goods or services in excess
331 of \$35,000, each individual taking part in the development or
332 selection of criteria for evaluation, the evaluation process, or



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333 the award process shall provide a completed and signed
334 purchasing conflict-of-interest disclosure form by which each
335 individual attests in writing that the individual does not have
336 any conflict of interest in the entities evaluated or selected.

337 (b)1. A sole source purchase is permitted only if the
338 following steps have been completed:

339 a. Citizens conducts an analysis of the marketplace for the
340 goods or services; and

341 b. Citizens determines in writing that the required goods
342 or services are:

343 (I) Available from only one supplier; or

344 (II) Necessary or unique, for example, if the deliverable
345 is copyrighted, patented, or proprietary, such as technology, or
346 if there is an absence of competition or providers in the
347 marketplace.

348 2. If Citizens reasonably determines that goods or services
349 qualify as a sole source purchase, it shall post on Citizens'
350 website a description of the goods or services sought for at
351 least 10 business days. If it is determined in writing by
352 Citizens after reviewing any information received from
353 prospective vendors that the goods or services qualify as a sole
354 source purchase, Citizens shall notify each vendor and proceed
355 with the purchase. A copy of the written determination shall be
356 promptly furnished to the state's Chief Financial Officer and
357 the board. A sole source procurement must be discontinued and a
358 competitive solicitation instituted when written information is
359 timely received which demonstrates that the sole source process
360 is not applicable.

361 3. In any sole source purchase of goods or services in



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362 excess of \$35,000, the individuals taking part in the
363 development or selection of criteria for evaluation, the
364 evaluation process, or the award process must provide a
365 completed and signed purchasing conflict-of-interest disclosure
366 form by which the individuals attest in writing that they do not
367 have any conflict of interest in the entities evaluated or
368 selected.

369 (c) A purchase that is exempt from competitive solicitation
370 as listed under s. 287.057(3) (f).

371 (d) A contract with a financial service provider or
372 underwriter of bonds which is subject to s. 627.3513.

373 (e) A governmental contract if the contract was previously
374 procured by a competitive solicitation process, and the contract
375 is:

376 1. An approved state term contract that complies with the
377 requirements of ss. 287.056 and 287.057;

378 2. Approved by the Department of Management Services;

379 3. Procured by a state agency, political subdivision of the
380 state, a state university or a Florida College System
381 institution as defined in section 21 of chapter 2010-70, Laws of
382 Florida; or

383 4. An approved contract from the United States General
384 Services Administration.

385 (8) CONFLICT OF INTEREST.—Citizens' purchasing policy must
386 include procedures for protecting against any conflict of
387 interest by Citizens' board members, employees, and other expert
388 consultants who are acting as evaluators in the purchasing
389 process. Additionally, Citizens' purchasing policy must address
390 other procurement issues regarding conflicts of interest.



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391 (9) MINORITY BUSINESS ENTERPRISES.—

392 (a) Citizens shall strive to increase business with
393 minority business enterprises by providing education and
394 outreach to minority businesses regarding business opportunities
395 within Citizens, educating Citizens' staff and vendors regarding
396 opportunities for minority business enterprises, and tracking
397 and monitoring purchases by minority business enterprises.

398 (b) The director of Citizens' purchasing department shall
399 certify a business as a minority business enterprise upon review
400 and evaluation of evidence provided by the business which
401 demonstrates that it meets the definition of a minority business
402 enterprise. Additionally, Citizens may accept minority business
403 certifications from a federal, state, or other governmental
404 agency or political subdivision.

405 (10) FLORIDA SMALL BUSINESS ENTERPRISES.—

406 (a) Citizens shall strive to increase business with Florida
407 small business enterprises by providing education and outreach
408 to Florida small business enterprises regarding business
409 opportunities with Citizens, educating Citizens' staff and
410 vendors regarding opportunities for Florida small business
411 enterprises, and tracking and monitoring purchases by Florida
412 small business enterprises. Citizens may use a business's status
413 as a Florida small business enterprise as a vendor evaluation
414 criterion in the procurement of goods or services if the use of
415 such status may be beneficial for Citizens, its policyholders,
416 or the state. A five-point preference may be awarded to vendors
417 who meet the requirements for status as Florida small business
418 enterprises for purposes of bid tabulation and comparison.

419 (b) The director of Citizens' purchasing department shall



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420 certify a business as a Florida small business enterprise upon
421 review and evaluation of evidence provided by the entity which
422 demonstrates that it meets the definition of a Florida small
423 business enterprise. Additionally, Citizens may accept small
424 business certifications from a federal, state, or other
425 governmental agency or political subdivision.

426 (11) FLORIDA BUSINESS ENTERPRISES.—

427 (a) Citizens may use the Florida business enterprise status
428 as a vendor-evaluation criterion in the procurement of goods or
429 services if it determines that the use of a business based in
430 this state may be beneficial for Citizens, its policyholders, or
431 the state.

432 (b) Citizens shall verify the status as a Florida business
433 enterprise by a review of its corporate documentation.

434 (12) ANNUAL REVIEW.—The Citizens' board shall annually
435 review and adopt the purchasing policy for the corporation to
436 ensure compliance with this section. After adopting the
437 purchasing policy, the board shall submit a copy of the policy
438 to the Office of Insurance Regulation.

439 (13) AUDITOR GENERAL REVIEW.—The Auditor General shall have
440 access to any Citizens' procurement documents and related
441 materials. Such documents and materials held by the Auditor
442 General must remain confidential as provided in s. 627.351(6) or
443 other state law.

444 Section 3. Subsection (6) of section 838.014, Florida
445 Statutes, is amended to read:

446 838.014 Definitions.—As used in this chapter, the term:

447 (6) "Public servant" means:

448 (a) Any officer or employee of a state, county, municipal,



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449 or special district agency or entity;

450 (b) Any legislative or judicial officer or employee;

451 (c) Any person, except a witness, who acts as a general or
452 special magistrate, receiver, auditor, arbitrator, umpire,
453 referee, consultant, or hearing officer while performing a
454 governmental function; ~~or~~

455 (d) A candidate for election or appointment to any of the
456 positions listed in this subsection, or an individual who has
457 been elected to, but has yet to officially assume the
458 responsibilities of, public office; or

459 (e) Any member of the board of governors or employee of
460 Citizens Property Insurance Corporation.

461 Section 4. This act shall take effect January 1, 2012.

462
463 ===== T I T L E A M E N D M E N T =====

464 And the title is amended as follows:

465 Delete everything before the enacting clause
466 and insert:

467 A bill to be entitled
468 An act relating to the Citizens Property Insurance
469 Corporation; repealing s. 627.351(6)(e) and (f), F.S.,
470 relating to the procurement of goods and services by
471 the corporation; creating s. 627.3514, F.S.; providing
472 standards for procurements by Citizens Property
473 Insurance Corporation; providing legislative intent;
474 providing definitions; providing general purchasing
475 rules for the procurement of goods or services by the
476 Citizens Property Insurance Corporation; requiring the
477 corporation's legal department and purchasing



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478 department to jointly prepare a contract for the
479 procurement of goods or services; requiring the legal
480 department to review and approve a contract before it
481 is executed; providing that certain procurements of
482 goods or services are subject to competitive
483 solicitation; providing that a public bid opening is
484 not required except under certain circumstances;
485 requiring a competitive solicitation to include a
486 contract term; requiring the corporation's purchasing
487 department to coordinate and manage the competitive
488 solicitation process; providing for the use of four
489 methods for the competitive solicitation process;
490 requiring the business unit to provide certain
491 information in order for the purchasing department to
492 initiate the competitive solicitation process;
493 requiring the corporation to create a process for the
494 evaluation of vendor proposals appropriate for the
495 goods or services being procured and to coordinate the
496 receipt and evaluation of responses to the competitive
497 solicitation; requiring the corporation to give public
498 notice of a competitive solicitation by electronically
499 posting the competitive solicitation on its website
500 and the state's procurement website; prohibiting
501 certain persons from communicating with any member of
502 the board or employee of Citizens Property Insurance
503 Corporation, or with any public official, officer, or
504 employee of the executive or legislative branch of
505 government, concerning any aspect of the solicitation;
506 providing a procedure for breaking a tie between two



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507 vendors in the competitive solicitation process;
508 requiring the redaction of certain confidential and
509 exempt information in a vendor's bid; requiring the
510 corporation to post a copy of each contract executed
511 on its website for certain contracts executed on or
512 after a specified date; authorizing a respondent to a
513 competitive solicitation to appeal the award of
514 certain contracts of more than a specified amount by
515 the corporation's board; requiring the corporation's
516 board to hear an appeal at a publicly noticed meeting
517 conducted according to appeal procedures established
518 by the board; authorizing a respondent to a
519 competitive solicitation to appeal the award of a
520 contract having a value at or above a specified amount
521 and less than a specified amount according to appeal
522 procedures established by the board; providing that
523 such appeals are not required to be heard by the
524 board; authorizing certain exemptions from the
525 competitive solicitation process; requiring the
526 corporation's purchasing policy to address procurement
527 issues regarding conflicts of interest and to include
528 procedures for protecting against any conflict of
529 interest by Citizens' board members and employees and
530 other expert consultants who are acting as an
531 evaluator in the purchasing process; requiring the
532 corporation to strive to increase business with
533 minority business enterprises; requiring the director
534 of purchasing to certify a business as a minority
535 business enterprise upon review and evaluation of



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536 evidence provided by the business; requiring the
537 corporation to strive to increase business with
538 Florida small business enterprises by providing
539 education and outreach to Florida small business
540 enterprises regarding business opportunities with the
541 corporation; authorizing the corporation to use the
542 status of a business as a Florida small business
543 enterprise as a vendor-evaluation criterion in the
544 procurement of goods or services; requiring the
545 director of the corporation's purchasing department to
546 certify a business as a Florida small business
547 enterprise upon review and evaluation of evidence
548 provided by the entity; authorizing the corporation to
549 use the status of a business as a Florida business
550 enterprise as a vendor-evaluation criterion in the
551 procurement of goods or services; requiring the
552 corporation to verify the status of a Florida business
553 enterprise; requiring the corporation's board to
554 annually review and adopt the purchasing policy for
555 the corporation; requiring the corporation's board to
556 submit a copy of the purchasing policy to the Office
557 of Insurance Regulation; requiring the Auditor General
558 to have access to the corporation's procurement
559 documents and related materials; requiring the
560 documents and materials held by the Auditor General to
561 remain confidential; amending s. 838.014, F.S.;
562 including a board member or an employee of the
563 corporation within the definition of the term "public
564 servant" as it relates to the crime of bribery and the



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misuse of public office; providing an effective date.