

Bill No. CS for SB 1132

Amendment No. \_\_\_\_

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Gutman moved the following amendment:

**Senate Amendment (with title amendment)**

On page 53, between lines 28 and 29,

insert:

Section 38. Paragraph (c) of subsection (1) of section 287.058, Florida Statutes, is amended to read:

287.058 Contract document.--

(1) Every procurement of contractual services in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO, except for the providing of health and mental health services or drugs in the examination, diagnosis, or treatment of sick or injured state employees or the providing of other benefits as required by the provisions of chapter 440, shall be evidenced by a written agreement embodying all provisions and conditions of the procurement of such services, which provisions and conditions shall, where applicable, include, but shall not be limited to:

(c) A provision allowing unilateral cancellation by the agency for refusal by the contractor to allow public

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1 access to all documents, papers, letters, or other material  
 2 subject to the provisions of chapter 119 and made or received  
 3 by the contractor in conjunction with the contract. Further  
 4 agreements between the contractor, subcontractors, or other  
 5 parties performing services and receiving state funds, either  
 6 directly or indirectly, shall also contain a provision  
 7 allowing unilateral cancellation by the contractor or by the  
 8 agency for refusal by the subcontractor or other party to  
 9 allow public access to all documents, papers, letters, or  
 10 other such material subject to the provisions of chapter 119  
 11 and made or received by the subcontractor or other party in  
 12 conjunction with the contract.

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14 In lieu of a written agreement, the division may authorize the  
 15 use of a purchase order for classes of contractual services,  
 16 provided the provisions of paragraphs (a)-(f) are included in  
 17 the purchase order, invitation to bid, or request for  
 18 proposals. The purchase order shall include an adequate  
 19 description of the services, the contract period, and the  
 20 method of payment. In lieu of printing the provisions of  
 21 paragraphs (a)-(f) in the contract document or purchase order,  
 22 agencies may incorporate the requirements of paragraphs  
 23 (a)-(f) by reference.

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25 (Redesignate subsequent sections.)

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28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 On page 4, line 5, after the semicolon,

31

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1 insert:

2           amending s. 287.058, F.S.; requiring that a  
3           state contract provide for cancellation of the  
4           contract by the contractor or agency upon the  
5           refusal by a party to allow public access to  
6           certain material;

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