

1 A bill to be entitled
2 An act relating to the Department of Management
3 Services; providing for the relief of Dale R.
4 Cowie; providing an appropriation to reimburse
5 him for expenses incurred in the completion of
6 a state contract; providing an effective date.

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8 WHEREAS, in 1991, Fire Control, Inc., a company which
9 designed and installed fire sprinkler systems, installed
10 sprinkler systems in two single-cell housing units at the
11 Jackson Correctional Institution, state project #DC-89013100,
12 and

13 WHEREAS, because the contract drawings prepared by the
14 architectural firm on the project were erroneous, Fire
15 Control, Inc., incurred an additional expense of \$15,401.77 to
16 properly install the system, for which they were never
17 reimbursed, and

18 WHEREAS, Fire Control, Inc., was a subcontractor to J.
19 Kinson Cook, Inc., the general contractor for the Jackson
20 Correctional Institution project, and

21 WHEREAS, J. Kinson Cook's contract was held and
22 administered by the Department of Management Services,
23 formerly the Department of General Services, which was the
24 contracting agency for the project, and

25 WHEREAS, on September 30, 1993, J. Kinson Cook, Inc.,
26 signed a release acknowledging final payment by the state and
27 releasing the Department of Corrections and the Department of
28 Management Services from all claims under the construction
29 contract and any subcontracts for the project, and

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1 WHEREAS, no claim for additional compensation for
2 completion of state project #DC-89013100 was filed against the
3 state by the general contractor, and

4 WHEREAS, though a payment bond was issued by a surety
5 company to cover payments to subcontractors in the event the
6 general contractor failed to pay all expenses owed, the
7 statute of limitations has expired for suits against a surety
8 company on a bond for a public project and for suits against
9 the contractor, and

10 WHEREAS, since 1991, Dale R. Cowie, formerly the
11 president of Fire Control, Inc., has attempted to obtain
12 reimbursement for his company's expenses, and

13 WHEREAS, in September 1995, Fire Control, Inc., ceased
14 operations due to financial difficulties which stemmed in
15 great part from the loss incurred in the performance of this
16 subcontract, and

17 WHEREAS, Dale R. Cowie seeks reimbursement from the
18 Department of Management Services in the amount of \$15,401.77,
19 NOW, THEREFORE,

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21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. The facts stated in the preamble to this
24 act are found and declared to be true.

25 Section 2. The comptroller is directed to draw his
26 warrant in favor of Dale R. Cowie in the sum of \$15,401.77
27 from the General Revenue Fund in the State Treasury and the
28 State Treasurer is directed to pay the same out of such funds
29 in the State Treasury.

30 Section 3. This act shall take effect July 1, 1998.
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