

By Representatives Reddick, Lawson, Ritchie and Murman

1 A bill to be entitled
2 An act relating to contracted tenant brokers;
3 providing for a pilot project for the provision
4 and use of contracted tenant brokers in certain
5 counties in the state; providing criteria for
6 the project; providing for a report; providing
7 for future repeal; amending s. 255.25, F.S.;
8 conforming to the act; providing an effective
9 date.

10

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

12

13 Section 1. Contracted tenant brokers; pilot project.--

14 (1) The Department of Management Services shall
15 undertake a pilot project in Hillsborough, Leon, Escambia, and
16 Orange Counties for a contracted tenant broker to assist state
17 agencies in locating suitable private sector leases. The
18 department shall solicit qualified candidates through the
19 request for proposals process and conduct interviews of
20 finalists. The tenant broker shall be under contract to the
21 department, but all fees or commissions to be paid to the
22 tenant broker shall be paid by the ultimate private sector
23 lessor. The department shall select two brokers in each
24 county in the pilot project. Agencies may employ the services
25 of either broker in any such county for a specified period of
26 time for a given property procurement. Except for the
27 exemption from competitive bidding as described in s.
28 255.29(3)(a), Florida Statutes, current leasing procedures
29 would remain in effect, including the zone rate guidelines.
30 Brokers shall be required to disclose any conflict of interest
31 and all compensation received from transactions. Brokers'

1 compensation shall be no more than what is customarily found
2 in the marketplace. Contracts between the department and the
3 brokers shall be for a term of 1 year, renewable for an
4 additional year based on a satisfactory performance review.
5 The Department of Management Services is authorized to adopt
6 such rules as may be necessary to carry out the intent of this
7 section.

8 (2) In designing the pilot project, the department
9 shall endeavor to accomplish the following goals:

10 (a) Provide for a faster, more efficient, and
11 cost-effective lease procurement process.

12 (b) Provide access for agencies to experienced brokers
13 with knowledge of the local marketplace.

14 (c) Provide a documented, professional cost-benefit
15 analysis of all choices.

16 (d) Provide for the ability to negotiate the best
17 deal.

18 (e) Provide the ability to reject any proposal which
19 does not meet the needs of the agency.

20 (f) Provide that the Department of Management Services
21 shall have the final review and approval of all leases to
22 ensure quality control.

23 (3) On or before July 1, 2001, the Department of
24 Management Services shall report to the Legislature on the
25 effectiveness of the pilot project and shall make
26 recommendations, in the form of legislation, if necessary, for
27 the implementation of the project on a statewide basis.

28 (4) The pilot project shall stand repealed effective
29 July 1, 2001.

30 Section 2. Paragraph (a) of subsection (3) of section
31 255.25, Florida Statutes, 1998 Supplement, is amended to read.

1 255.25 Approval required prior to construction or
2 lease of buildings.--

3 (3)(a) Except as provided in subsection (10) and
4 except for those leases negotiated pursuant to the pilot
5 project for contracted tenant brokers established by the
6 Department of Management Services in this act, no state agency
7 shall enter into a lease as lessee for the use of 3,000 square
8 feet or more of space in a privately owned building except
9 upon advertisement for and receipt of competitive bids and
10 award to the lowest and best bidder. The Department of
11 Management Services shall have the authority to approve a
12 lease for 3,000 square feet or more of space that covers more
13 than 1 fiscal year, subject to the provisions of ss. 216.311,
14 255.2501, 255.2502, and 255.2503, if such lease is, in the
15 judgment of the department, in the best interests of the
16 state. This paragraph does not apply to buildings or
17 facilities of any size leased for the purpose of providing
18 care and living space for persons.

19 Section 3. This act shall take effect July 1, 1999.

20
21 *****

22 HOUSE SUMMARY

23 Directs the Department of Management Services to
24 undertake a pilot project in Hillsborough, Leon,
25 Escambia, and Orange Counties for a contracted tenant
26 broker to assist agencies in locating suitable private
sector leases. Provides criteria for the project. See
bill for details.