

Bill No. HB 2075, 1st Eng.

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Brown-Waite moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 44, between lines 2 and 3,		
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16	insert:		
17	Section 30. Subsections (5), (11), and (15) of section		
18	287.012, Florida Statutes, are amended to read:		
19	287.012 Definitions.--The following definitions shall		
20	apply in this part:		
21	(5) "Competitive sealed bids" or "competitive sealed		
22	proposals" refers to the receipt of two or more sealed bids or		
23	proposals submitted by responsive and qualified bidders or		
24	offerors <u>and includes bids or proposals transmitted by</u>		
25	<u>electronic means in lieu of or in addition to written bids or</u>		
26	<u>proposals.</u>		
27	(11) "Invitation to bid" means a written solicitation		
28	for competitive sealed bids with the title, date, and hour of		
29	the public bid opening designated and specifically defining		
30	the commodity, group of commodities, or services for which		
31	bids are sought. It includes instructions prescribing all		

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1 conditions for bidding and shall be distributed to all
 2 prospective bidders simultaneously. The invitation to bid is
 3 used when the agency is capable of specifically defining the
 4 scope of work for which a contractual service is required or
 5 when the agency is capable of establishing precise
 6 specifications defining the actual commodity or group of
 7 commodities required. A written solicitation includes a
 8 solicitation published or transmitted by electronic means.

9 (15) "Request for proposals" means a written
 10 solicitation for competitive sealed proposals with the title,
 11 date, and hour of the public opening designated. A written
 12 solicitation includes a solicitation published or transmitted
 13 by electronic means.The request for proposals is used when
 14 the agency is incapable of specifically defining the scope of
 15 work for which the commodity, group of commodities, or
 16 contractual service is required and when the agency is
 17 requesting that a qualified offeror propose a commodity, group
 18 of commodities, or contractual service to meet the
 19 specifications of the solicitation document. A request for
 20 proposals includes, but is not limited to, general
 21 information, applicable laws and rules, functional or general
 22 specifications, statement of work, proposal instructions, and
 23 evaluation criteria. Requests for proposals shall state the
 24 relative importance of price and any other evaluation
 25 criteria.

26 Section 31. Paragraph (a) of subsection (16) of
 27 section 287.042, Florida Statutes, is amended to read:

28 287.042 Powers, duties, and functions.--The department
 29 shall have the following powers, duties, and functions:

30 (16)(a) To enter into joint agreements with
 31 governmental agencies, as defined in s. 163.3164(10), for the

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1 purpose of pooling funds for the purchase of commodities,
2 information technology resources, or services that can be used
3 by multiple agencies. However, the department shall ~~may~~
4 consult with the State Technology Office on joint agreements
5 that involve the purchase of information technology resources.
6 Agencies entering into joint purchasing agreements with the
7 department shall authorize the department to contract for such
8 purchases on their behalf.

9 Section 32. Subsection (22) is added to section
10 287.057, Florida Statutes, to read:

11 287.057 Procurement of commodities or contractual
12 services.--

13 (22)(a) The State Technology Office of the department
14 shall develop a program for on-line procurement of commodities
15 and contractual services. Only bidders prequalified as
16 meeting mandatory requirements and qualifications criteria
17 shall be permitted to participate in on-line procurement. The
18 State Technology Office may contract for equipment and
19 services necessary to develop and implement on-line
20 procurement.

21 (b) The State Technology Office may adopt rules,
22 pursuant to ss. 120.536(1) and 120.54, to implement the
23 program for on-line procurement. The rules shall include, but
24 are not limited to, rules prescribing:

25 1. The requirements and qualification criteria for
26 prequalifying bidders.

27 2. The procedures for conducting on-line procurement.

28 3. The criteria for eligible commodities and
29 contractual services.

30 4. The procedures for providing access to on-line
31 procurement.

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(Redesignate subsequent sections.)

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

And the title is amended as follows:

On page 2, line 6, after the semicolon,

insert:

amending s. 287.012, F.S.; revising certain definitions to include bids or proposals transmitted or received by electronic means; amending s. 287.042, F.S.; requiring the Department of Management Services to consult with the State Technology Office on joint agreements involving the purchase of information technology resources; amending s. 287.057, F.S.; requiring the State Technology Office to develop a program for on-line procurement of commodities and contractual services; providing a limitation; authorizing the office to contract for certain equipment and services; authorizing the office to adopt rules for certain purposes;