

By the Committee on Appropriations; and Senator Clary

309-531-02

1 A bill to be entitled
2 An act relating to construction of
3 transportation facilities; amending s. 337.107,
4 F.S.; allowing the Department of
5 Transportation, until July 1, 2003, to include
6 right-of-way services as part of design-build
7 contracts; amending s. 337.11, F.S.;
8 broadening, until July 1, 2003, the list of
9 transportation projects that may be awarded as
10 design-build contracts; specifying that
11 construction of any portion of a project under
12 a design-build contract may not begin until
13 title to the necessary rights-of-way and
14 easements for that portion has vested in the
15 state or a local governmental entity and all
16 railroad crossing and utility agreements have
17 been executed; providing an effective date.

18

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

20

21 Section 1. Section 337.107, Florida Statutes, is
22 amended to read:

23 337.107 Contracts for right-of-way services.--The
24 department may enter into contracts pursuant to s. 287.055 for
25 right-of-way services on transportation corridors and
26 transportation facilities, or the department may include
27 right-of-way services as part of design-build contracts
28 awarded pursuant to s. 337.11. Right-of-way services include
29 negotiation and acquisition services, appraisal services,
30 demolition and removal of improvements, and asbestos-abatement
31 services.

1 Section 2. Paragraph (a) of subsection (7) of section
2 337.11, Florida Statutes, is amended to read:

3 337.11 Contracting authority of department; bids;
4 emergency repairs, supplemental agreements, and change orders;
5 combined design and construction contracts; progress payments;
6 records; requirements of vehicle registration.--

7 (7)(a) If the head of the department determines that
8 it is in the best interests of the public, the department may
9 combine the right-of-way services and design and construction
10 phases of ~~any a building, a major bridge, or a rail corridor~~
11 project into a single contract, except for a resurfacing or
12 minor bridge project the right-of-way services and design and
13 construction phases of which may be combined under s. 337.025.

14 Such contract is referred to as a design-build contract.

15 Design-build contracts may be advertised and awarded
16 notwithstanding the requirements of paragraph (3)(c). However,
17 construction activities may not begin on any portion of such
18 projects for which the department has not yet obtained title
19 until title to the necessary rights-of-way and easements for
20 the construction of that portion of the project has vested in
21 the state or a local governmental entity and all railroad
22 crossing and utility agreements have been executed. Title to
23 rights-of-way shall be deemed to have vested in the state when
24 the title has been dedicated to the public or acquired by
25 prescription.

26 Section 3. Effective July 1, 2003, section 337.107,
27 Florida Statutes, as amended by this act, is amended to read:

28 337.107 Contracts for right-of-way services.--The
29 department may enter into contracts pursuant to s. 287.055 for
30 right-of-way services on transportation corridors and
31 transportation facilities, ~~or the department may include~~

1 ~~right-of-way services as part of design-build contracts~~
2 ~~awarded pursuant to s. 337.11.~~ Right-of-way services include
3 negotiation and acquisition services, appraisal services,
4 demolition and removal of improvements, and asbestos-abatement
5 services.

6 Section 4. Effective July 1, 2003, paragraph (a) of
7 subsection (7) of section 337.11, Florida Statutes, as amended
8 by this act, is amended to read:

9 337.11 Contracting authority of department; bids;
10 emergency repairs, supplemental agreements, and change orders;
11 combined design and construction contracts; progress payments;
12 records; requirements of vehicle registration.--

13 (7)(a) If the head of the department determines that
14 it is in the best interests of the public, the department may
15 combine the ~~right-of-way services and~~ design and construction
16 phases of a building, a major bridge, or a rail corridor any
17 project into a single contract, ~~except for a resurfacing or~~
18 ~~minor bridge project the right-of-way services and design and~~
19 ~~construction phases of which may be combined under s. 337.025.~~
20 Such contract is referred to as a design-build contract.
21 ~~Design-build contracts may be advertised and awarded~~
22 ~~notwithstanding the requirements of paragraph (3)(c).~~ However,
23 ~~construction activities may not begin on any portion of such~~
24 ~~projects for which the department has not yet obtained title~~
25 ~~until title to the necessary rights-of-way and easements for~~
26 ~~the construction of that portion of the project has vested in~~
27 ~~the state or a local governmental entity and all railroad~~
28 ~~crossing and utility agreements have been executed. Title to~~
29 ~~rights-of-way shall be deemed to have vested in the state when~~
30 ~~the title has been dedicated to the public or acquired by~~
31 ~~prescription.~~

1 Section 5. This act shall take effect upon becoming a
2 law.

3
4 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
5 COMMITTEE SUBSTITUTE FOR
6 Senate Bill 24-B

7 Provides for the repeal of the provisions made in the act on
8 June 30,2003.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31