

567-187AX3-32

Bill No. HB 1977

Amendment No. 3 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Wallace offered the following:

Amendment (with title amendment)

On page 68, between lines 2 and 3,

insert:

Section 25. Section 413.036, Florida Statutes, is amended to read:

413.036 Procurement of services by agencies; authority of commission.--

(1) If any agency intends to procure any product or service on the procurement list, that agency shall, in accordance with rules and regulations of the commission, procure such product or service at the price established by the commission from a qualified nonprofit agency for the blind or for the other severely handicapped if the product or service is available within a reasonable delivery time. This act shall not apply in any case in which products or services are available for procurement from any agency of the state and procurement therefrom is required under the provision of any law currently in effect. However, this act shall have

1 precedence over any law requiring state agency procurement of
2 products or services from any other nonprofit corporation
3 unless such precedence is waived by the commission in
4 accordance with its rules.

5 (2) The provisions of part I of chapter 287 do not
6 apply to any purchase of commodities or contractual services
7 made by any legislative, executive, or judicial agency of the
8 state from a qualified nonprofit agency for the blind or for
9 the other severely handicapped.

10 (3) If, pursuant to a contract between any
11 legislative, executive, or judicial agency of the state and
12 any private contract vendor, a product or service is required
13 by the Department of Management Services or on behalf of any
14 state agency that is included on the procurement list
15 established by the commission pursuant to s. 413.035(2), the
16 contract must contain the following language:

17 "IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT ANY
18 ARTICLES THAT ARE THE SUBJECT OF, OR REQUIRED TO CARRY OUT,
19 THIS CONTRACT SHALL BE PURCHASED FROM A NONPROFIT AGENCY FOR
20 THE BLIND OR FOR THE SEVERELY HANDICAPPED THAT IS QUALIFIED
21 PURSUANT TO CHAPTER 413, FLORIDA STATUTES, IN THE SAME MANNER
22 AND UNDER THE SAME PROCEDURES SET FORTH IN SECTION 413.036(1)
23 AND (2), FLORIDA STATUTES; AND FOR PURPOSES OF THIS CONTRACT
24 THE PERSON, FIRM, OR OTHER BUSINESS ENTITY CARRYING OUT THE
25 PROVISIONS OF THIS CONTRACT SHALL BE DEEMED TO BE SUBSTITUTED
26 FOR THE STATE AGENCY INsofar AS DEALINGS WITH SUCH QUALIFIED
27 NONPROFIT AGENCY ARE CONCERNED."

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

31 And the title is amended as follows:

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1 On page 2, line 20, after the semicolon,
2
3 insert:
4 amending s. 413.036, F.S.; providing that ch.
5 287, F.S., does not apply to purchases made
6 from certain nonprofit agencies; specifying
7 provisions required to be contained in certain
8 state procurement contracts;
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