

780-113AX-02

Bill No. CS/HB 435

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

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

Amendment to Amendment (911327)

On page 8, line 28, through page 10, line 13,
remove: all of said lines

and insert:

(b) Such an expressway authority may request proposals for public-private transportation projects or, if such an expressway authority receives an unsolicited proposal that it has an interest in evaluating, it shall publish a notice in the Florida Administrative Weekly and a newspaper of general circulation in the county in which such expressway authority is located at least once a week for 2 weeks stating that such expressway authority has received the proposal and will accept, for 60 days after the initial date of publication, other proposals for the same project purpose. A copy of the notice must be mailed to each local government in the affected areas. After the public notification period has expired, the expressway authority shall then rank the proposals in order of preference. In ranking the proposals, the expressway authority

1 may consider, but is not limited to considering, professional
2 qualifications, general business terms, innovative engineering
3 or cost-reduction terms, finance plans, and the need for state
4 funds to deliver the proposal. The expressway authority shall
5 negotiate with the top-ranked proposer in good faith, and if
6 the expressway authority is not satisfied with the results of
7 said negotiations, the expressway authority may, at its sole
8 discretion, terminate negotiations with said proposer. If
9 these negotiations are unsuccessful, the expressway authority
10 may go to the second and lower-ranked firms in order using
11 this same procedure. If only one proposal is received, the
12 expressway authority may negotiate in good faith, and if the
13 expressway authority is not satisfied with the results of said
14 negotiations, the expressway authority may, at its sole
15 discretion, terminate negotiations with the said proposers.
16 Notwithstanding any other provision of this paragraph, the
17 expressway authority may, at its sole discretion, reject all
18 proposals at any point in the process up to completion of a
19 contract with the proposer.

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