

780-113AX-02

Bill No. CS/HB 435

Amendment No. 2 (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 3, line 1, through page 4, line 22,
remove: all of said lines

and insert:

statewide total of \$50 million in capital costs for all projects not programmed in the adopted 5-year work program.

(3) The department may request proposals for public-private transportation projects or, if the department receives a proposal, shall publish a notice in the Florida Administrative Weekly and a newspaper of general circulation at least once a week for 2 weeks, stating that the department 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 area. After the public notification period has expired, the department shall then rank the proposals in order of preference. In ranking the proposals, the department may consider, but is not limited to

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

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