

Amendment No. 003 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 The Committee on Transportation offered the following:

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13 **Amendment (with title amendment)**

14 On page 32, of the bill between lines 27 and 28,

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16 insert:

17 Section 11. Effective July 1, 2003, paragraph (a) of
18 subsection (7) of section 337.11, Florida Statutes as amended
19 by section 4 of chapter 2001-350, Laws of Florida, is amended
20 to read:

21 337.11 Contracting authority of department; bids;
22 emergency repairs, supplemental agreements, and change orders;
23 combined design and construction contracts; progress payments;
24 records, requirements of vehicle registration.--

25 (7)(a) If the head of the department determines that it
26 is in the best interests of the public, the department may
27 combine the right-of-way services and design and construction
28 phases of a building, a major bridge, a limited access
29 facility, or a rail corridor project into a single
30 contract. Such contract is referred to as a design-build
31 contract. Design-build contracts may be advertised and

Amendment No. 003 (for drafter's use only)

1 awarded notwithstanding the requirements of paragraph
2 (3)(c). However, construction activities may not begin on any
3 portion of such projects until title to the necessary
4 rights-of-way and easements for the construction of that
5 portion of the project has vested in the state or a local
6 governmental entity and all railroad crossing and utility
7 agreements have been executed. Title to rights-of-way vests
8 in the state when the title has been dedicated to the public
9 or acquired by prescription.

10 Section 12. Effective July 1, 2005, paragraph (a) of
11 subsection (7) of section 337.11, Florida Statutes, as amended
12 by section 4 of chapter 2001-350, Laws of Florida, is amended
13 to read:

14 337.11 Contracting authority of department; bids;
15 emergency repairs, supplemental agreements, and change orders;
16 combined design and construction contracts; progress payments;
17 records, requirements of vehicle registration.--

18 (7)(a) If the head of the department determines that it
19 is in the best interests of the public, the department may
20 combine the design and construction phases of a building, a
21 major bridge, a limited access facility, or a rail corridor
22 project into a single contract. Such contract is referred to
23 as a design-build contract. Design-build contracts may be
24 advertised and awarded notwithstanding the requirements of
25 paragraph (3)(c). However, construction activities may not
26 begin on any portion of such projects until title to the
27 necessary rights-of-way and easements for the construction of
28 that portion of the project has vested in the state or a local
29 governmental entity and all railroad crossing and utility
30 agreements have been executed. Title to rights-of-way vests
31 in the state when the title has been dedicated to the public

Amendment No. 003 (for drafter's use only)

1 or acquired by prescription.

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

5 And the title is amended as follows:

6 On page 2, line 10, after the semicolon,

7

8 insert:

9 amending s. 337.11, F.S.; related to
10 design-build contracts effective July 1, 2003;
11 adding right-of-services to activities that can
12 be part of a design-build contract; amending s.
13 337.11, F.S.; related to design-build contracts
14 effective July 1, 2005; deleting right-of-way
15 services from design-build contracts;

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