$\mathbf{B}\mathbf{y}$  the Committee on General Government Appropriations; and Senator Clary

601-1730B-05

1	A bill to be entitled
2	An act relating to the procurement of
3	commodities or contractual services; amending
4	s. 287.057, F.S.; requiring that the Department
5	of Management Services compensate a provider
6	for on-line procurement pursuant to
7	appropriation after satisfying ongoing costs;
8	requiring that the provider report transaction
9	data to the department; requiring that fees due
10	to the state on a transactional basis or as a
11	fixed percentage of savings generated be
12	deposited into the State Treasury; requiring
13	that a vendor pay interest on the balance of
14	fees remaining due and unpaid; providing an
15	effective date.
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17	Be It Enacted by the Legislature of the State of Florida:
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19	Section 1. Paragraph (c) of subsection (23) of section
20	287.057, Florida Statutes, is amended to read:
21	287.057 Procurement of commodities or contractual
22	services
23	(23)
24	(c) $1$ . The department may $impose$ and $shall$ collect $all$
25	fees for the use of the on-line procurement systems. <u>Such</u> The
26	fees may be imposed on an individual transaction basis or as a
27	fixed percentage of the cost savings generated. At a minimum,
28	the fees must be set in an amount sufficient to cover the
29	projected costs of such services, including administrative and
30	project service costs in accordance with the policies of the
31	department. All fees and surcharges collected under this

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CODING: Words stricken are deletions; words underlined are additions.

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paragraph shall be deposited in the Grants and Donations Trust 2 Fund as provided by law. 3 2. If the department contracts with a provider for 4 on-line procurement, the department, pursuant to 5 appropriation, shall compensate the provider from such fees 6 after the department has satisfied all ongoing costs. The provider shall report transaction data to the department each 8 month so that the department may determine the amount due and payable to the department from each vendor. 9 10 3. All fees that are due and payable to the state on a transactional basis or as a fixed percentage of the cost 11 12 savings generated are subject to s. 215.31 and must be remitted within 40 days after receipt of payment for which 13 such fees are due. For any fees that are not remitted within 14 40 days, the vendor shall pay interest at the rate established 15 under s. 55.03(1) on the unpaid balance from the expiration of 16 the 40-day period until the fees are remitted. For the 18 purposes of compensating the provider, the department may authorize the provider to collect and retain a portion of the 19 fees. The providers may withhold the portion retained from the 2.0 21 amount of fees to be remitted to the department. The 2.2 department may negotiate the retainage as a percentage of such 23 fees charged to users, as a flat amount, or as any other method the department deems feasible. All fees and surcharges 2.4 2.5 collected under this paragraph shall be deposited in the Grants and Donation Trust Fund as provided by law. 26 27 Section 2. This act shall take effect July 1, 2005. 2.8 29 30

1	COMMITTEE SUBSTITUTE FOR
3	Schace Biii 100
4 5	<ol> <li>Requires that all fees collected for the use of the state's on-line procurement system are to be deposited into the State Treasury.</li> </ol>
6	2. Requires the provider of the state's on-line procurement system to remit transaction data to the state.
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8 on-line procurement system due to the state within days.	3. Requires that vendors remit fees for use of the state's on-line procurement system due to the state within 40 days.
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