

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Bogdanoff offered the following:

2  
3 **Amendment (with title amendment)**

4 Between line(s) 678 and 679, insert:

5 Section 17. Subsection (3) of section 255.248, Florida  
6 Statutes, is added to read:

7 255.248 Definitions; ss. 255.249 and 255.25.--The  
8 following definitions shall apply when used in ss. 255.249 and  
9 255.25:

10 (3) The term "competitive solicitation" shall mean an  
11 invitation to bid, a request for proposals, or an invitation to  
12 negotiate.

13 Section 18. Paragraph (b) of subsection (4) of section  
14 255.249, Florida Statutes, is amended to read:

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15           255.249 Department of Management Services; responsibility;  
16 department rules.--

17           (4) The department shall promulgate rules pursuant to  
18 chapter 120 providing:

19           (b) Procedures for soliciting and accepting competitive  
20 solicitations ~~proposals~~ for leased space of 5,000 square feet or  
21 more in privately owned buildings, for evaluating the proposals  
22 received, for exemption from competitive solicitation ~~bidding~~  
23 requirements of any lease the purpose of which is the provision  
24 of care and living space for persons or emergency space needs as  
25 provided in s. 255.25(10), and for the securing of at least  
26 three documented quotes for a lease that is not required to be  
27 competitively bid.

28           Section 19. Paragraph (a) of subsection (3) of section  
29 255.25, Florida Statutes, is amended to read:

30           255.25 Approval required prior to construction or lease of  
31 buildings.--

32           (3)(a) Except as provided in subsection (10), no state  
33 agency shall enter into a lease as lessee for the use of 5,000  
34 square feet or more of space in a privately owned building  
35 except upon advertisement for and receipt of competitive  
36 solicitations ~~bids~~ and award to the lowest and best lessor that  
37 provides the best overall value to the state ~~bidder~~. The  
38 Department of Management Services shall have the authority to  
39 approve a lease for 5,000 square feet or more of space that  
40 covers more than 1 fiscal year, subject to the provisions of ss.  
41 216.311, 255.2501, 255.2502, and 255.2503, if such lease is, in

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42 the judgment of the department, in the best interests of the  
43 state. This paragraph does not apply to buildings or facilities  
44 of any size leased for the purpose of providing care and living  
45 space for persons.

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

49 Remove the entire title and insert:

50 A bill to be entitled

51 An act relating to public property and publicly owned  
52 buildings; amending s. 218.70, F.S.; providing a popular  
53 name; amending s. 218.72, F.S.; redefining terms used in  
54 pt. VII of ch. 218, F.S.; amending s. 218.735, F.S.;  
55 revising provisions relating to timely payment for  
56 purchases of construction services; revising deadlines for  
57 payment; providing procedures for project closeout and  
58 payment of retainage; providing requirements for local  
59 government construction retainage; providing exceptions;  
60 creating s. 255.0705, F.S.; providing a popular name;  
61 amending s. 255.071, F.S.; revising deadlines for the  
62 payment of subcontractors, sub-subcontractors,  
63 materialmen, and suppliers on construction contracts for  
64 public projects; creating ss. 255.072, 255.073, 255.074,  
65 255.075, 255.076, 255.077, and 255.078, F.S.; providing  
66 definitions; providing for timely payment for purchases of  
67 construction services by a public entity; providing  
68 procedures for calculating payment due dates; authorizing

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69 | the collection of interest under certain circumstances;  
70 | providing for an award of court costs and attorney's fees;  
71 | providing for project closeout and payment of retainage;  
72 | providing exceptions; amending s. 255.05, F.S.; providing  
73 | requirements for certain notices of nonpayment served by a  
74 | claimant who is not in privity with the contractor;  
75 | providing limitations on a claimant's institution of  
76 | certain actions against a contractor or surety; amending  
77 | s. 287.0585, F.S.; providing an exemption for contractors  
78 | making late payment to subcontractors when the contract is  
79 | subject to the "Prompt Payment Act"; amending s. 95.11,  
80 | F.S., to conform a cross reference; providing that  
81 | specified sections of the act do not apply to certain  
82 | pending contracts and projects; amending s. 255.248, F.S.;  
83 | revising definitions; amending s. 255.249, F.S.; revising  
84 | provisions relating to responsibilities of the Department  
85 | of Management services; amending s. 255.25, F.S.; revising  
86 | provisions relating to approval of certain leases;  
87 | providing an effective date.

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