

By Senator Clary

4-1111-06

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A bill to be entitled
An act relating to bid protest standards;
amending s. 24.109, F.S.; providing that the
administrative law judge in a
competitive-procurement protest may not conduct
a de novo proceeding; requiring an
administrative law judge in a
competitive-procurement protest to review the
intended agency action in order to make certain
determinations; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present paragraph (b) of subsection (2) of
section 24.109, Florida Statutes, is redesignated as paragraph
(c), and a new paragraph (b) is added to that subsection, to
read:

24.109 Administrative procedure.--

(2) The provisions of s. 120.57(3) apply to the
department's contracting process, except that:

(b) In a competitive-procurement protest, including
the rejection of all bids, proposals, or replies, the
administrative law judge may not conduct a de novo proceeding
but shall review the intended agency action to determine if
the action is illegal, arbitrary, dishonest, or fraudulent.

Section 2. This act shall take effect July 1, 2006.

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SENATE SUMMARY

Provides that the administrative law judge in a competitive-procurement protest may not conduct a de novo proceeding. Requires an administrative law judge in a competitive-procurement protest to review the intended agency action in order to make certain determinations.