

Bill No. CS for CS for CS for SB 856

Barcode 344658

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Floor: WD/2R  
05/03/2006 04:53 PM

11 Senator Bennett moved the following amendment:

12  
13 **Senate Amendment (with title amendment)**

14 On page 4, between lines 15 and 16,

15  
16 insert:

17 Section 2. Paragraph (w) is added to subsection (2) of  
18 section 252.35, Florida Statutes, to read:

19 252.35 Emergency management powers; Division of  
20 Emergency Management.--

21 (2) The division is responsible for carrying out the  
22 provisions of ss. 252.31-252.90. In performing its duties  
23 under ss. 252.31-252.90, the division shall:

24 (w)1. In cooperation with the Department of  
25 Environmental Protection, establish and maintain a vendor and  
26 price list for contractual services of disaster-relief cleanup  
27 which will be available statewide for use by state agencies,  
28 counties, and municipalities in times of emergencies.

29 a. Such contracts must require the establishment of  
30 hauling rates and debris removal and reduction and must comply  
31 with all guidelines of the Federal Emergency Management Agency

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1 which are established at the time of the contract.

2 b. For purposes of this paragraph, certified minority  
3 business enterprises shall receive first consideration for all  
4 awards.

5 c. Purchases by any county, municipality, or other  
6 state agency pursuant to this paragraph related to the  
7 collection, removal, and reduction of disaster debris under  
8 the provisions in the state purchasing contracts, are exempt  
9 from the competitive solicitation requirements that otherwise  
10 apply to purchases.

11 2. Evaluate all proposals for agreements for  
12 disaster-cleanup services which proposals are timely submitted  
13 to the department pursuant to a request for proposal created  
14 by the division. The department shall identify the lowest  
15 responsible and responsive vendor and all responsible and  
16 responsive vendors who have certified that they are minority  
17 business enterprises. In awarding a contract for  
18 disaster-cleanup services, the department shall allow a  
19 10-percent price preference to a responsible and responsive  
20 vendor who has certified that it is a minority business  
21 enterprise and an additional 5-percent price preference to a  
22 responsible and responsive minority business enterprise that  
23 is a Florida business. If no vendors are minority business  
24 enterprises, the contract must be awarded to the lowest  
25 qualified responsible and responsive vendor as ultimately  
26 negotiated by the department. If the proposal of a minority  
27 business enterprise is competitive in accordance with the  
28 criteria set forth in this paragraph, the department shall  
29 negotiate first with the minority business enterprise for the  
30 award of the agreement.

31 3. Establish guidelines and rules and negotiate such

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1 proposals for collection, reduction, transportation, and  
 2 disposal of emergency debris by July 1, 2006, and annually  
 3 thereafter by February 1 to qualify for the division submittal  
 4 of an emergency preparedness plan and to establish guidelines  
 5 for price per yard of collection, price per yard for hauling,  
 6 price per yard for disposal, and price per yard for reduction  
 7 of disaster debris.

8 4. Collect proposals for agreements for the temporary  
 9 storage of emergency debris at sites on a statewide basis for  
 10 use during times of emergency.

11 a. Such sites must provide a rate per yard for  
 12 materials delivered, a rate per yard for transportation to the  
 13 debris ultimate disposal site, and a rate per yard for  
 14 reduction of the volume of waste.

15 b. For purposes of calculating the collection rate for  
 16 the disaster-cleanup services, all proposals must assume a  
 17 15-mile radius for delivery to a temporary disposal facility  
 18 and must contain additional per-mile costs if the delivery of  
 19 the disaster debris is outside the 15-mile radius.

20  
 21 The purpose of this paragraph is to provide state agencies and  
 22 local governments access to agreements negotiated with the  
 23 division in times of emergency. This paragraph does not affect  
 24 the authority of a local government to contract separately  
 25 with a vendor for debris removal, does not govern the terms of  
 26 such contracts, and does not limit the authority of a local  
 27 government to establish sites for the temporary storage of  
 28 emergency debris during times of emergency.

29  
 30 (Redesignate subsequent sections.)

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

2 And the title is amended as follows:

3            On page 1, line 17, after the semicolon,

4

5 insert:

6            amending s. 252.35, F.S.; requiring the

7            Division of Emergency Management to create a

8            statewide vendor list for emergency cleanup;

9            requiring priority consideration of minority

10            business enterprises in the provision of

11            cleanup services; exempting certain purchases

12            from competitive bidding;

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