

Bill No. CS for CS for SB 860

Barcode 352802

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

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Senator Bennett moved the following amendment:

Senate Amendment (with title amendment)

On page 5, between lines 21 and 22,

insert:

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

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

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

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

a. Such contracts must require the establishment of hauling rates and debris removal and reduction and must comply 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 department. 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 yeard 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.

24
 25 (Redesignate subsequent sections.)

26
 27
 28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 On page 2, line 11, after the semicolon,

31

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1 insert:

2 amending s.252.35, F.S.; requiring the Division
3 of Emergency Management to create a statewide
4 vendor list for emergency cleanup; requiring
5 priority consideration of minority business
6 enterprises in the provision of cleanup
7 services; exempting certain purchases from
8 competitive bidding;

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