

Bill No. CS for SB 2376

Barcode 315616

CHAMBER ACTION

Senate

House

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The Committee on Governmental Operations (King) recommended
the following **amendment to amendment** (491418):

Senate Amendment (with title amendment)

On page 3, line 25,

insert:

Section 2. Paragraph (c) of subsection (9) of section
287.055, Florida Statutes, is amended to read:

287.055 Acquisition of professional architectural,
engineering, landscape architectural, or surveying and mapping
services; definitions; procedures; contingent fees prohibited;
penalties.--

(9) APPLICABILITY TO DESIGN-BUILD CONTRACTS.--

(c) Except as otherwise provided in s. 337.11(7), the
Department of Management Services shall adopt rules for the
award of design-build contracts to be followed by state
agencies. Each other agency must adopt rules or ordinances
for the award of design-build contracts. Municipalities,
political subdivisions, school districts, and school boards
shall award design-build contracts by the use of a competitive

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1 proposal selection process as described in this subsection, or
 2 by the use of a qualifications-based selection process
 3 pursuant to subsections (3), (4), and (5) for entering into a
 4 contract whereby the selected firm will, subsequent to
 5 competitive negotiations, ~~subsequently~~ establish a guaranteed
 6 maximum price and guaranteed completion date. If the procuring
 7 agency elects the option of qualifications-based selection,
 8 during the selection of the design-build firm the procuring
 9 agency shall employ or retain a licensed design professional
 10 appropriate to the project to serve as the agency's
 11 representative. Procedures for the use of a competitive
 12 proposal selection process must include as a minimum the
 13 following:

14 1. The preparation of a design criteria package for
 15 the design and construction of the public construction
 16 project.

17 2. The qualification and selection of no fewer than
 18 three design-build firms as the most qualified, based on the
 19 qualifications, availability, and past work of the firms,
 20 including the partners or members thereof.

21 3. The criteria, procedures, and standards for the
 22 evaluation of design-build contract proposals or bids, based
 23 on price, technical, and design aspects of the public
 24 construction project, weighted for the project.

25 4. The solicitation of competitive proposals, pursuant
 26 to a design criteria package, from those qualified
 27 design-build firms and the evaluation of the responses or bids
 28 submitted by those firms based on the evaluation criteria and
 29 procedures established prior to the solicitation of
 30 competitive proposals.

31 5. For consultation with the employed or retained

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1 design criteria professional concerning the evaluation of the
 2 responses or bids submitted by the design-build firms, the
 3 supervision or approval by the agency of the detailed working
 4 drawings of the project; and for evaluation of the compliance
 5 of the project construction with the design criteria package
 6 by the design criteria professional.

7 6. In the case of public emergencies, for the agency
 8 head to declare an emergency and authorize negotiations with
 9 the best qualified design-build firm available at that time.

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

13 And the title is amended as follows:

14 On page 4, line 8, after the semicolon,

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16 insert:

17 revising provisions relating to the award of
 18 design-build contracts for surveying or mapping
 19 services by certain governmental entities;

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