

Bill No. CS for SB 2376

Barcode 491418

CHAMBER ACTION

Senate

House

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

Senate Amendment (with title amendment)

On page 2, between lines 2 and 3,

insert:

Section 1. Section 255.103, Florida Statutes, is
created to read:

255.103 Construction management or program management
entities.--

(1) "As used in this section, the term "local
government" means a county, municipality, special district as
defined in chapter 189, or other political subdivision of the
state.

(2) A local government may select a construction
management entity, pursuant to the process provided by s.
287.055, which is to be responsible for construction project
scheduling and coordination in both preconstruction and
construction phases and generally responsible for the
successful, timely, and economical completion of the

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1 construction project. The construction management entity must
2 consist of or contract with licensed or registered
3 professionals for the specific fields or areas of construction
4 to be performed, as required by law. The construction
5 management entity may retain necessary design professionals
6 selected under the process provided in s. 287.055. At the
7 option of the local government, the construction management
8 entity, after having been selected and after competitive
9 negotiations, may be required to offer a guaranteed maximum
10 price and a guaranteed completion date or a lump-sum price and
11 a guaranteed completion date, in which case, the construction
12 management entity must secure an appropriate surety bond
13 pursuant to s. 255.05 and must hold construction subcontracts.
14 If a project, as defined in s. 287.055(2)(f), solicited by a
15 local government under the process provided in s. 287.055
16 includes a grouping of substantially similar construction,
17 rehabilitation, or renovation activities as permitted under s.
18 287.055(2)(f), the local government, after competitive
19 negotiations, may require the construction management entity
20 to provide for a separate guaranteed maximum price or a
21 separate lump-sum price and a separate guaranteed completion
22 date for each grouping of substantially similar construction,
23 rehabilitation, or renovation activities included within the
24 project.

25 (3) A local government may select a program management
26 entity, pursuant to the process provided by s. 287.055, which
27 is to be responsible for schedule control, cost control, and
28 coordination in providing or procuring planning, design, and
29 construction services. The program management entity must
30 consist of or contract with licensed or registered
31 professionals for the specific areas of design or construction

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1 to be performed as required by law. The program management
 2 entity may retain necessary design professionals selected
 3 under the process provided in s. 287.055. At the option of the
 4 local government, the program management entity, after having
 5 been selected and after competitive negotiations, may be
 6 required to offer a guaranteed maximum price and a guaranteed
 7 completion date or a lump-sum price and guaranteed completion
 8 date, in which case the program management entity must secure
 9 an appropriate surety bond pursuant to s. 255.05 and must hold
 10 design and construction subcontracts. If a project, as defined
 11 in s. 287.055(2)(f), solicited by a local government under the
 12 process provided in s. 287.055 includes a grouping of
 13 substantially similar construction, rehabilitation, or
 14 renovation activities as permitted under s. 287.055(2)(f), the
 15 local government, after competitive negotiations, may require
 16 the program management entity to provide for a separate
 17 guaranteed maximum price or a lump-sum price and a separate
 18 guaranteed completion date for each grouping of substantially
 19 similar construction, rehabilitation, or renovation activities
 20 included within the project.

21 (4) This section does not prohibit a local government
 22 from procuring construction management services, including the
 23 services of a program management entity, pursuant to the
 24 requirements of s. 255.20.

25
26 (Redesignate subsequent sections.)

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

30 And the title is amended as follows:

31 On page 1, line 9, after the semicolon,

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1 insert:

2 creating s. 255.103, F.S.; providing a
3 definition; authorizing local governments to
4 select construction-management or
5 program-management entities to be responsible
6 for certain construction project activities;
7 providing requirements and authority for such
8 entities;

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