

By Senator Bullard

39-2-07

1 A bill to be entitled
2 An act relating to minority construction
3 enterprises; creating s. 288.7055, F.S.;
4 creating the Minority Contractors Technical
5 Assistance Grant Program to be administered by
6 the Department of Management Services;
7 providing legislative intent; providing the
8 duties and responsibilities of the department;
9 requiring recipients of technical assistance
10 grants to intensify efforts to increase the
11 number of minority enterprises in certain
12 construction and construction-related projects;
13 requiring grant recipients to provide
14 educational and technical assistance to new and
15 existing minority construction enterprises;
16 providing examples of such technical
17 assistance; specifying responsibilities of
18 grant recipients; requiring each grant
19 recipient to prepare a report detailing the
20 performance of each minority construction
21 enterprise receiving assistance from the
22 recipient; specifying the contents of the
23 report; requiring each grant recipient to
24 provide for a financial audit each year;
25 requiring the Department of Management Services
26 to summarize the reports and submit the summary
27 to the Governor and the Legislature;
28 authorizing rulemaking by the department;
29 providing an appropriation; providing an
30 effective date.
31

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

2

3 Section 1. Section 288.7055, Florida Statutes, is
4 created to read:

5 288.7055 Minority Contractors Technical Assistance
6 Grant Program; creation; administration.--

7 (1) Effective July 1, 2007, there is created the
8 Minority Contractors Technical Assistance Grant Program to be
9 administered by the Department of Management Services.

10 (2) The Legislature finds that there is a need for
11 minority construction enterprises to develop and execute a
12 viable, economically sound business plan and to improve
13 operational capacity. The Legislature further finds that such
14 contractors need technical assistance and support in order to
15 develop and strengthen their capacities to expand and provide
16 employment opportunities. The Legislature intends for the
17 Minority Contractors Technical Assistance Grant Program to
18 support local organizations that will provide the needed
19 assistance and expertise to minority construction enterprises.

20 (3) The Department of Management Services shall:

21 (a) Publicize the availability of funds and the method
22 by which a person or organization may apply for a minority
23 contractors technical assistance grant.

24 (b) Develop a quality-assurance process to monitor the
25 quality of the educational and technical assistance services
26 that are delivered to minority contractor enterprises by
27 recipients of a technical assistance grant.

28 (c) Provide technical assistance, as requested, to the
29 recipients of minority contractors technical assistance
30 grants.

31

1 (d) Develop uniform data-reporting requirements for
2 measuring the economic development progress made in areas
3 served by a grant recipient in order to evaluate the
4 performance of the projects of the grant recipient.

5 (e) In cooperation with each grant recipient,
6 coordinate with public and private universities and colleges
7 to improve the access of minority contractor enterprises to
8 professional staff in order to broaden the scope of expertise
9 which is available to minority construction enterprises.

10 (f) Ensure that appropriations from the Legislature
11 which are paid to a grant recipient are used by the grant
12 recipient in the manner and amount prescribed by the
13 Legislature.

14 (4) Each technical assistance grant recipient shall:

15 (a) Intensify efforts to increase the number of
16 minority enterprises that are involved in construction and
17 construction-related projects, with emphasis on construction
18 projects financed by federal, state, or local governments.

19 (b) In its efforts to increase the number of minority
20 construction enterprises, provide educational and technical
21 assistance to new and existing minority construction
22 enterprises in order to enable disadvantaged businesses to
23 develop sound construction business practices. The educational
24 and technical assistance must include, but need not be limited
25 to:

26 1. Bonding and capital assistance.

27 2. Leveraging financing from banking institutions.

28 3. Preparation and submission of construction-bid
29 packages.

30 4. Prebid services for planning, permitting, and
31 purchasing.

1 5. Postbid award services for production schedules,
2 payment requisitions, and dispute resolution.

3 (c) Work with Enterprise Florida, Inc.; the Florida
4 Black Business Investment Board, Inc.; state, municipal, and
5 county governments; and local economic development
6 organizations to promote the retention and expansion of
7 existing minority construction enterprises and to promote the
8 formation and recruitment of new minority construction
9 enterprises.

10 (d) Facilitate the formation of minority construction
11 enterprises in communities that are not currently served by
12 such enterprises and establish, in communities that are not
13 currently served by an existing minority construction
14 enterprise, memoranda of understanding with local financial
15 institutions that will provide loan guarantees for loans to
16 minority construction enterprises.

17 (e) Develop memoranda of understanding with the
18 Department of Education, the Department of Transportation, the
19 Department of Community Affairs, and the Department of
20 Management Services, as well as with Workforce Florida, Inc.,
21 and the State Board of Education, detailing efforts of common
22 interest and collaborations to expand minority construction
23 business development.

24 (f) Prepare an annual report detailing the performance
25 of each minority construction enterprise receiving assistance
26 from a grant recipient, the number of jobs created or
27 retained, the success and failure rates among recipients of
28 technical assistance, and the amount of funds leveraged from
29 public and private sources.

30 (g) Provide for an annual financial audit, as defined
31 in s. 11.45, of its accounts and records by an independent

1 certified public accountant. The audit report shall be filed
2 with the Department of Management Services no later than 6
3 months after the end of the fiscal year of the state. The
4 department shall summarize the reports of all recipients no
5 later than 6 months after receipt of the financial audits and
6 shall submit the summary to the Governor, the President of the
7 Senate, the Speaker of the House of Representatives, and the
8 Auditor General.

9 (5) A minority contractors technical assistance grant
10 shall be in effect for 1 year and may be renewed for
11 additional years upon application to and approval by the
12 department, subject to meeting quality standards and outcomes
13 and subject to the availability of funds.

14 (6) The Department of Management Services may adopt
15 rules necessary to administer this section.

16 Section 2. The sum of \$2 million is appropriated from
17 the General Revenue Fund to the Department of Management
18 Services for the purpose of implementing this act during the
19 2007-2008 fiscal year.

20 Section 3. This act shall take effect July 1, 2007.

21
22 *****

23 SENATE SUMMARY

24 Creates the Minority Contractors Technical Assistance
25 Grant Program to be administered by the Department of
26 Management Services. Provides the duties and
27 responsibilities of the department. Requires technical
28 assistance grant recipients to intensify efforts to
29 increase the number of minority enterprises in certain
30 construction and construction-related projects. Requires
31 technical grant recipients to provide educational and
technical assistance to new and existing minority
construction enterprises. Provides examples of technical
assistance and educational services to be offered to
minority construction enterprises. Requires each grant
recipient to prepare a report detailing the performance
of each minority construction enterprise receiving
assistance from the grant recipient. Authorizes
rulemaking by the department. Provides an appropriation.