



328378

CHAMBER ACTION

Senate

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House

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1 Senator Baker moved the following **amendment to amendment**
2 **(844108)** :

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4 **Senate Amendment (with title amendment)**

5 Delete line(s) 1375-1392
6 and insert:

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8 (7) If the department determines that it is in the best
9 interest of the public, the department may pay a stipend to
10 unsuccessful firms who have submitted responsive proposals for
11 construction or maintenance contracts. The decision and amount of
12 a stipend will be based upon department analysis of the estimated
13 proposal development costs and the anticipated degree of
14 competition during the procurement process. Stipends shall be
15 used to encourage competition and compensate unsuccessful firms
16 for a portion of their proposal development costs. The department



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17 | shall retain the right to use ideas from unsuccessful firms that
18 | accept a stipend.

19 | ~~(8)-(7)~~(a) If the head of the department determines that it
20 | is in the best interests of the public, the department may
21 | combine the design and construction phases of a building, a major
22 | bridge, a limited access facility, or a rail corridor project
23 | into a single contract. Such contract is referred to as a design-
24 | build contract. The department's goal shall be to procure up to
25 | 25 percent of the construction contracts which add capacity in
26 | the 5-year adopted work program as design-build contracts by July
27 | 1, 2013. Design-build contracts may be advertised and awarded
28 | notwithstanding the requirements of paragraph (3)(c). However,
29 | construction activities may not begin on any portion of such
30 | projects for which the department has not yet obtained title to
31 | the necessary rights-of-way and easements for the construction of
32 | that portion of the project has vested in the state or a local
33 | governmental entity and all railroad crossing and utility
34 | agreements have been executed. Title to rights-of-way shall be
35 | deemed to have vested in the state when the title has been
36 | dedicated to the public or acquired by prescription.

37 | (b) The department shall adopt by rule procedures for
38 | administering design-build contracts. Such procedures shall
39 | include, but not be limited to:

- 40 | 1. Prequalification requirements.
- 41 | 2. Public announcement procedures.
- 42 | 3. Scope of service requirements.
- 43 | 4. Letters of interest requirements.
- 44 | 5. Short-listing criteria and procedures.
- 45 | 6. Bid proposal requirements.
- 46 | 7. Technical review committee.



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47 | 8. Selection and award processes.

48 | 9. Stipend requirements.

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50 | ===== T I T L E A M E N D M E N T =====

51 | And the title is amended as follows:

52 | Delete line(s) 2889-2890

53 | and insert:

54 | s. 337.11, F.S.; providing for the department to pay a
55 | portion of certain proposal development costs; requiring
56 | the department to advertise certain contracts as design-
57 | build contracts; amending s. 337.18, F.S.;