



587412

CHAMBER ACTION

Senate

.

House

.

.

.

.

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

3
4 **Senate Amendment (with title amendment)**

5 Between line(s) 722 and 723

6 insert:

7 Section 14. Paragraph (c) of subsection (9) of section
8 287.055, Florida Statutes, is amended to read:

9 287.055 Acquisition of professional architectural,
10 engineering, landscape architectural, or surveying and mapping
11 services; definitions; procedures; contingent fees prohibited;
12 penalties.--

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

14 (c) Except as otherwise provided in s. 337.11(8) ~~s.~~
15 ~~337.11(7)~~, the Department of Management Services shall adopt
16 rules for the award of design-build contracts to be followed by
17 state agencies. Each other agency must adopt rules or ordinances



587412

18 | for the award of design-build contracts. Municipalities,
19 | political subdivisions, school districts, and school boards shall
20 | award design-build contracts by the use of a competitive proposal
21 | selection process as described in this subsection, or by the use
22 | of a qualifications-based selection process pursuant to
23 | subsections (3), (4), and (5) for entering into a contract
24 | whereby the selected firm will, subsequent to competitive
25 | negotiations, establish a guaranteed maximum price and guaranteed
26 | completion date. If the procuring agency elects the option of
27 | qualifications-based selection, during the selection of the
28 | design-build firm the procuring agency shall employ or retain a
29 | licensed design professional appropriate to the project to serve
30 | as the agency's representative. Procedures for the use of a
31 | competitive proposal selection process must include as a minimum
32 | the following:

- 33 | 1. The preparation of a design criteria package for the
34 | design and construction of the public construction project.
- 35 | 2. The qualification and selection of no fewer than three
36 | design-build firms as the most qualified, based on the
37 | qualifications, availability, and past work of the firms,
38 | including the partners or members thereof.
- 39 | 3. The criteria, procedures, and standards for the
40 | evaluation of design-build contract proposals or bids, based on
41 | price, technical, and design aspects of the public construction
42 | project, weighted for the project.
- 43 | 4. The solicitation of competitive proposals, pursuant to a
44 | design criteria package, from those qualified design-build firms
45 | and the evaluation of the responses or bids submitted by those
46 | firms based on the evaluation criteria and procedures established
47 | prior to the solicitation of competitive proposals.



587412

48 | 5. For consultation with the employed or retained design
49 | criteria professional concerning the evaluation of the responses
50 | or bids submitted by the design-build firms, the supervision or
51 | approval by the agency of the detailed working drawings of the
52 | project; and for evaluation of the compliance of the project
53 | construction with the design criteria package by the design
54 | criteria professional.

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

58 |
59 |

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

61 | And the title is amended as follows:

62 | On line 2831, after the semicolon,
63 | insert:

64 | amending s. 287.055, F.S.; conforming a cross-reference;