

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Attkisson offered the following:

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3 **Amendment (with title amendment)**

4 Remove lines 52-76 and insert:

5 (c) Under a contract separate from the design
6 professional, if any, assigned to the construction project.

7 (3) The department's authority under subsection (2)
8 includes the right to enter into continuing contracts so long as
9 the continuing contract is not used for any construction project
10 having a total estimated cost exceeding \$1 million.

11 (4) At the option of the department, the construction
12 management entity, after having been selected for a construction
13 project and after competitive negotiations, may be required to
14 offer a guaranteed maximum price and a guaranteed completion
15 date. In such event, the construction management entity must
16 secure an appropriate surety bond pursuant to s. 255.05 and must

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17 hold construction subcontracts. If a project solicited by the
18 department under the process provided in s. 287.055 includes a
19 grouping of minor construction, rehabilitation, or renovation
20 activities, or substantially similar construction,
21 rehabilitation, or renovation activities, the department may
22 require the construction management entity to provide for a
23 separate guaranteed maximum price and a separate guaranteed
24 completion date for each grouping included within the project.

25 (5) The department shall adopt rules pursuant to chapter
26 120 for state agencies to utilize construction management
27 entities under contract with the department.

28 Section 2. Notwithstanding any law to the contrary, a
29 county, municipality, or special district may not own or operate
30 an asphalt plant or a portable or stationary concrete batch
31 plant that has an independent mixer; however, this prohibition
32 does not apply to any county that owns or is under contract to
33 purchase an asphalt plant as of April 15, 2008, and that
34 furnishes its plant-generated asphalt solely for use by local
35 governments, or companies under contract with local governments,
36 for projects within the boundaries of such county. Sale of
37 plant-generated asphalt to private entities or local governments
38 outside the boundaries of such county is prohibited.

39 Section 3. This act shall take effect upon becoming a law.
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42 **T I T L E A M E N D M E N T**

43 Remove lines 2-14 and insert:

HOUSE AMENDMENT

Bill No. HB 7035

Amendment No.

44 An act relating to public construction; creating s.
45 255.32, F.S.; providing definitions; authorizing the
46 Department of Management Services to select and contract
47 with specified construction management entities to assist
48 in the management of construction projects; providing that
49 the department's authority includes the right to enter
50 into certain continuing contracts; providing that a
51 construction management entity may be required to offer a
52 guaranteed maximum price and a guaranteed completion date
53 under specified circumstances; providing procedures and
54 requirements with respect thereto; requiring the
55 department to adopt rules; prohibiting a county,
56 municipality, or special district from owning or operating
57 an asphalt plant or a portable or stationary concrete
58 batch plant with an independent mixer, except under
59 specified circumstances; prohibiting specified sales of
60 plant-generated asphalt to private entities or local
61 governments; providing an effective date.

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