



494246

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/15/2009	.	
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The Committee on General Government Appropriations (Aronberg) recommended the following:

Senate Amendment (with title amendment)

Between lines 73 and 74
insert:

Section 2. Paragraph (f) of subsection (5) of section 287.057, Florida Statutes, is amended to read:

287.057 Procurement of commodities or contractual services.—

(5) When the purchase price of commodities or contractual services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, no purchase of commodities or contractual services



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12 may be made without receiving competitive sealed bids,
13 competitive sealed proposals, or competitive sealed replies
14 unless:

15 (f) The following contractual services and commodities are
16 not subject to the competitive-solicitation requirements of this
17 section:

18 1. Artistic services. For the purposes of this subsection,
19 the term "artistic services" does not include advertising. As
20 used in this subparagraph, the term "advertising" means the
21 making of a representation in any form in connection with a
22 trade, business, craft or profession in order to promote the
23 supply of commodities or services by the person promoting the
24 commodities or contractual services.

25 2. Academic program reviews.

26 3. Lectures by individuals.

27 4. Auditing services.

28 5. Legal services, including attorney, paralegal, expert
29 witness, appraisal, or mediator services.

30 6. Health services involving examination, diagnosis,
31 treatment, prevention, medical consultation, or administration.

32 7. Services provided to persons with mental or physical
33 disabilities by not-for-profit corporations which have obtained
34 exemptions under the provisions of s. 501(c)(3) of the United
35 States Internal Revenue Code or when such services are governed
36 by the provisions of Office of Management and Budget Circular A-
37 122. However, in acquiring such services, the agency shall
38 consider the ability of the vendor, past performance,
39 willingness to meet time requirements, and price.

40 8. Medicaid services delivered to an eligible Medicaid



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41 recipient by a health care provider who has not previously
42 applied for and received a Medicaid provider number from the
43 Agency for Health Care Administration. However, this exception
44 shall be valid for a period not to exceed 90 days after the date
45 of delivery to the Medicaid recipient and shall not be renewed
46 by the agency.

47 9. Family placement services.

48 10. Prevention services related to mental health, including
49 drug abuse prevention programs, child abuse prevention programs,
50 and shelters for runaways, operated by not-for-profit
51 corporations. However, in acquiring such services, the agency
52 shall consider the ability of the vendor, past performance,
53 willingness to meet time requirements, and price.

54 11. Training and education services provided to injured
55 employees pursuant to s. 440.491(6).

56 12. Contracts entered into pursuant to s. 337.11.

57 13. Services or commodities provided by governmental
58 agencies.

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
63 Delete line 14
64 and insert:
65 adopt rules; amending s. 287.057, F.S.; providing that for the
66 purpose of exempting certain specified contractual services and
67 commodities from competitive-solicitation requirements, the
68 listed exemption for artistic services does not include
69 advertising; defining the term "advertising;" providing an



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70 effective date.