

1                                   A bill to be entitled  
 2       An act relating to state universities; amending s.  
 3       1001.74, F.S.; increasing the monetary threshold for  
 4       continuing contracts for professional services; amending  
 5       s. 1013.64, F.S.; increasing the monetary threshold for  
 6       the utilization of funds for the replacement of minor  
 7       facilities; amending s. 1013.78, F.S.; conforming  
 8       provisions; amending s. 1013.79, F.S.; revising provisions  
 9       relating to the matching and expenditure of funds under a  
 10      university facility challenge grant program; providing an  
 11      effective date.

12  
 13   Be It Enacted by the Legislature of the State of Florida:

14  
 15       Section 1. Paragraph (a) of subsection (2) of section  
 16      1001.74, Florida Statutes, is amended to read:

17       1001.74 Powers and duties of university boards of  
 18      trustees.--

19       (2) POWERS AND DUTIES RELATING TO ORGANIZATION AND  
 20      OPERATION OF STATE UNIVERSITIES.--

21       (a) Each board of trustees constitutes the contracting  
 22      agent of the university. Each university shall comply with the  
 23      provisions of s. 287.055 for the procurement of professional  
 24      services and may approve and execute all contracts for planning,  
 25      construction, and equipment. For the purpose of a university's  
 26      contracting authority, a "continuing contract" for professional  
 27      services under the provisions of s. 287.055 is one in which  
 28      construction costs do not exceed \$2 ~~\$1~~ million or the fee for

29 study activity does not exceed \$200,000 ~~\$100,000~~. Contracts  
 30 executed pursuant to this paragraph are subject to the  
 31 requirements of s. 1010.62.

32 Section 2. Paragraph (h) of subsection (1) of section  
 33 1013.64, Florida Statutes, is amended to read:

34 1013.64 Funds for comprehensive educational plant needs;  
 35 construction cost maximums for school district capital  
 36 projects.--Allocations from the Public Education Capital Outlay  
 37 and Debt Service Trust Fund to the various boards for capital  
 38 outlay projects shall be determined as follows:

39 (1)

40 (h) University boards of trustees may utilize funds  
 41 appropriated pursuant to this section for replacement of minor  
 42 facilities provided that such projects do not exceed \$2 ~~\$1~~  
 43 million in cost or 10,000 gross square feet in size. Minor  
 44 facilities may not be replaced from funds provided pursuant to  
 45 this section unless the board determines that the cost of repair  
 46 or renovation is greater than or equal to the cost of  
 47 replacement.

48 Section 3. Subsection (2) of section 1013.78, Florida  
 49 Statutes, is amended to read:

50 1013.78 Approval required for certain university-related  
 51 facility acquisitions.--

52 (2) Legislative approval shall not be required for  
 53 renovations, remodeling, replacement of existing facilities, or  
 54 construction of minor facilities ~~projects~~ as defined in s.  
 55 1013.64, except to the extent required pursuant to s. 1010.62.

56 Section 4. Subsection (5) of section 1013.79, Florida  
57 Statutes, is amended to read:

58 1013.79 University Facility Enhancement Challenge Grant  
59 Program.--

60 (5) A project may not be initiated unless all private  
61 funds for planning, construction, and equipping the facility  
62 have been received and deposited in the separate university  
63 program account designated for this purpose. However, these  
64 requirements shall not preclude the university from expending  
65 funds from private sources to develop a prospectus, including  
66 preliminary architectural schematics or models, for use in its  
67 efforts to raise private funds for a facility. Private funds  
68 expended for planning, constructing, and equipping a facility  
69 are eligible for state matching funds but do not create a  
70 financial obligation of the state ~~and the state's share for the~~  
71 ~~minimum amount of funds needed to begin the project has been~~  
72 ~~appropriated by the Legislature.~~ The Board of Governors shall  
73 establish a method for validating the receipt and deposit of  
74 private matching funds. The Legislature may appropriate the  
75 state's matching funds in one or more fiscal years for the  
76 planning, construction, and equipping of an eligible facility.  
77 ~~However, these requirements shall not preclude the university~~  
78 ~~from expending available funds from private sources to develop a~~  
79 ~~prospectus, including preliminary architectural schematics or~~  
80 ~~models, for use in its efforts to raise private funds for a~~  
81 ~~facility. Additionally, any private sources of funds expended~~  
82 ~~for this purpose are eligible for state matching funds should~~  
83 ~~the project materialize as provided for in this section.~~

CS/HB 499

2009

84 | Section 5. This act shall take effect upon becoming law. |