

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Hukill offered the following:

2
3 **Amendment**

4 Remove lines 109-178 and insert:

5 this paragraph, the term "repair" means a corrective action to
6 restore an existing public facility to a safe and functional
7 condition and the term "maintenance" means a preventive or
8 corrective action to maintain an existing public facility in an
9 operational state or to preserve the facility from failure or
10 decline. Repair or maintenance includes activities that are
11 necessarily incidental to repairing or maintaining the facility.
12 Repair or maintenance does not include the construction of any
13 new building, structure, or other public construction works or
14 any substantial addition, extension, or upgrade to an existing
15 public facility. Such additions, extensions, or upgrades shall
16 be considered substantial if the estimated cost of the

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17 additions, extensions, or upgrades included as part of the
18 repair or maintenance project exceeds the threshold amount in
19 subsection (1) and exceeds 20 percent of the estimated total
20 cost of the repair or maintenance project using generally
21 accepted cost-accounting principles that fully account for all
22 costs associated with performing and completing the work,
23 including employee compensation and benefits, equipment cost and
24 maintenance, insurance costs, and materials. An addition,
25 extension, or upgrade shall not be considered substantial if it
26 is undertaken pursuant to the conditions specified in
27 subparagraph 1. Repair and maintenance projects and any related
28 additions, extensions, or upgrades may not be divided into
29 multiple projects for the purpose of evading the requirements of
30 this subparagraph.

31 6. If ~~When~~ the project is undertaken exclusively as part
32 of a public educational program.

33 7. If ~~When~~ the funding source of the project will be
34 diminished or lost because the time required to competitively
35 award the project after the funds become available exceeds the
36 time within which the funding source must be spent.

37 8. If ~~When~~ the local government ~~has~~ competitively awarded
38 a project to a private sector contractor and the contractor ~~has~~
39 abandoned the project before completion or the local government
40 ~~has~~ terminated the contract.

41 9. If ~~When~~ the governing board of the local government
42 complies with all of the requirements of this subparagraph,
43 ~~after public notice,~~ conducts a public meeting under s. 286.011
44 after public notice, and finds by a majority vote of the

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45 governing board that it is in the public's best interest to
46 perform the project using its own services, employees, and
47 equipment. The public notice must be published at least 21 ~~14~~
48 days before ~~prior to~~ the date of the public meeting at which the
49 governing board takes final action ~~to apply this subparagraph~~.
50 The notice must identify the project, the components and scope
51 of the work, and the estimated cost of the project using
52 generally accepted cost-accounting principles that fully account
53 for all costs associated with performing and completing the
54 work, including employee compensation and benefits, equipment
55 cost and maintenance, insurance costs, and materials. The notice
56 must specify that the purpose for the public meeting is to
57 consider whether it is in the public's best interest to perform
58 the project using the local government's own services,
59 employees, and equipment. Upon publication of the public notice
60 and for 21 days thereafter, the local government shall make
61 available for public inspection, during normal business hours
62 and at a location specified in the public notice, a detailed
63 itemization of each component of the estimated cost of the
64 project and documentation explaining the methodology used to
65 arrive at the estimated cost. At the public meeting, any
66 qualified contractor or vendor who could have been awarded the
67 project had the project been competitively bid shall be provided
68 with a reasonable opportunity to present evidence to the

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