

By Senator Wise

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1 A bill to be entitled
2 An act relating to preference in award of state
3 contracts; amending s. 287.084, F.S.; expanding
4 provisions that authorize an agency, county,
5 municipality, school district, or other political
6 subdivision of the state to provide preferential
7 consideration to a Florida business in awarding
8 competitively bid contracts to purchase personal
9 property under specified circumstances to include the
10 purchase of construction services; providing that such
11 authority to grant preference supersedes any local
12 ordinance or regulation that grants preference to
13 local bidders; providing for construction; providing
14 an effective date.

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16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Subsection (1) of section 287.084, Florida
19 Statutes, is amended to read:

20 287.084 Preference to Florida businesses.—

21 (1) (a) When an agency, county, municipality, school
22 district, or other political subdivision of the state is
23 required to make purchases of personal property or construction
24 services through competitive solicitation and the lowest
25 responsible and responsive bid, proposal, or reply is by a
26 vendor whose principal place of business is in a state or
27 political subdivision thereof which grants a preference for the
28 purchase of such personal property or construction services to a
29 person whose principal place of business is in such state, then

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30 the agency, county, municipality, school district, or other
31 political subdivision of this state may award a preference to
32 the lowest responsible and responsive vendor having a principal
33 place of business within this state, which preference is equal
34 to the preference granted by the state or political subdivision
35 thereof in which the lowest responsible and responsive vendor
36 has its principal place of business. However, this section does
37 not apply to transportation projects for which federal aid funds
38 are available.

39 (b)1. This section supersedes any local ordinance or
40 regulation that grants preference to a local bidder based upon
41 the bidder maintaining a local business office or a local
42 principal place of business or based upon payment by the bidder
43 of local taxes, assessments, or duties.

44 2. Except as provided in subparagraph 1., nothing in this
45 section prevents a county, municipality, school district, or
46 other political subdivision of this state from awarding a
47 contract to any bidder in accordance with applicable state laws
48 or local ordinances.

49 Section 2. This act shall take effect July 1, 2010.