

FINAL BILL ANALYSIS

BILL #: CS/HB 1063

FINAL HOUSE FLOOR ACTION:

116 Y's 1 N's

SPONSOR: Rep. Goodson

GOVERNOR'S ACTION: Approved

COMPANION BILLS: N/A

SUMMARY ANALYSIS

CS/HB 1063 was passed by the House on April 27, 2011, and subsequently passed the Senate on May 2, 2011. The bill was approved by the Governor on June 21, 2011, chapter 2011-258, Laws of Florida, and took effect June 21, 2011. The bill increases the amount for which the Canaveral Port Authority may issue a contract from \$50,000 to \$100,000, before the need to advertise in a newspaper of general circulation. The bill also increases the reasonable expectation amount to between \$10,000 and \$100,000. Therefore, the port manager will be required to follow the prescribed bid procedures for said projects for contracts greater than \$10,000 but less than \$100,000.

According to the Economic Impact Statement, no fiscal impacts are anticipated for either fiscal year 2011-12 or 2012-2013.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Present Situation

The Canaveral Port District (CPD) in Brevard County is an independent special district, which is governed by the Canaveral Port Authority (CPA) comprised of five elected commissioners. The CPA represents the five port regions within the county and has jurisdiction over all fiscal and regulatory policies and operations of the port.

The CPA has the power and authority, by majority vote, to lease lands, personal properties, and facilities for a period not to exceed 10 years; or encumber personal properties and facilities for not more than \$1 million, and for a period not to exceed five years in order to secure the note or notes of the authority. The CPA must also advertise in a newspaper of general circulation, published within the district, stating the terms and amount to be paid when it plans on spending more than the \$1 million cap and will be unable to secure the note or notes of the district for a period of more than five years. The charter provides a method of petition and referendum by qualified electors if the authority exceeds the specified limitation.

The authority is authorized to issue construction, improvement, repair, building, goods, supplies, and materials contracts for projects that do not exceed \$50,000 without public notice. Additionally, if there is reasonable expectation that the cost(s), under section 1 of Article XVII of the CPA's charter relating to contracts and competition, for any construction, improvement, repair, building, goods, supplies, and materials cost between \$10,000 and \$50,000, then the port manager or a designee must:

- Obtain at least three telephonic bid offers to perform such work or furnish such property from at least three independent persons or business entities responsible in the subject business endeavor under consideration.
- Make a record of the offers.
- After obtaining and recording such offers, award the contract to the lowest responsible bidder of those solicited.

Effect of the Bill:

This bill increases the CPA's authority to issue a contract for amounts from \$50,000 to \$100,000, before the need to advertise in a newspaper of general circulation.

The bill also increases the reasonable expectation cost range to between \$10,000 and \$100,000. Therefore, the port manager will be required to follow the prescribed bid procedures for said projects for contracts greater than \$10,000 but less than \$100,000.

The bill has an effective date of upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 30, 2011.

WHERE? *Florida Today*, Brevard County.

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes No

D. ECONOMIC IMPACT STATEMENT FILED? Yes No

According to the Economic Impact Statement, no fiscal impacts are anticipated for either fiscal year 2011-12 or 2012-2013.