

By Senator Altman

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1 A bill to be entitled
2 An act relating to preference to Florida businesses in
3 procurement of personal property and services;
4 amending s. 283.35, F.S.; requiring 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 for printing under certain
9 circumstances; specifying the percentages of
10 preference to be granted; providing nonapplicability;
11 requiring bid, proposal, and reply documents from out-
12 of-state vendors to include agreements to hire Florida
13 residents; amending s. 287.084, F.S.; requiring an
14 agency, county, municipality, school district, or
15 other political subdivision of the state to provide
16 preferential consideration to a Florida business in
17 awarding competitively bid contracts to purchase
18 personal property or construction services; specifying
19 the percentage of preference to be granted; providing
20 nonapplicability; requiring bid, proposal, and reply
21 documents from out-of-state vendors to include
22 agreements to hire residents of the state; providing
23 an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Section 283.35, Florida Statutes, is amended to
28 read:

29 283.35 Preference given printing within the state.—Every

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agency shall ~~give preference to vendors located within the state~~

(1) When awarding a contract contracts to have materials printed, the agency, county, municipality, school district, or other political subdivision of this state awarding the contract shall grant a preference to the lowest responsible and responsive vendor having a principal place of business within this state, which preference is:

(a) Equal to the preference granted by the state or political subdivision thereof in which the lowest responsible and responsive vendor has its principal place of business; or

(b) If the lowest bid is submitted by a vendor whose principal place of business is located outside the state and that state does not grant a preference in competitive solicitation to vendors having a principal place of business in that state, the preference to the lowest responsible and responsive vendor having a principal place of business within this state shall be 5 percent,

~~if the whenever such printing can be performed in this state done at no greater expense than the expense of awarding a contract to a vendor located outside the state and can be done at a level of quality comparable to that obtainable from the a vendor submitting the lowest bid located outside the state.~~

(2) Subsection (1) does not apply to a contract for printing awarded to the corporation defined in part II of chapter 946, known as the Prison Rehabilitative Industries and Diversified Enterprises, Inc., or PRIDE Enterprises.

(3) Any vendor whose principal place of business is outside this state must accompany any written bid, proposal, or reply

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59 documents with a written opinion of an attorney at law licensed
60 to practice law in that foreign state, as to the preferences, if
61 any or none, granted by the law of that state to its own
62 business entities whose principal places of business are in that
63 foreign state in the letting of any or all public contracts and
64 a written agreement to hire, to the maximum extent possible,
65 residents of this state.

66 Section 2. Section 287.084, Florida Statutes, is amended to
67 read:

68 287.084 Preference to Florida businesses.—

69 (1) (a) When an agency, county, municipality, school
70 district, or other political subdivision of the state is
71 required to make purchases of personal property or construction
72 services through competitive solicitation and the lowest
73 responsible and responsive bid, proposal, or reply is by a
74 vendor whose principal place of business is in a state or
75 political subdivision thereof which grants a preference for the
76 purchase of such personal property or construction services to a
77 person whose principal place of business is in such state, then
78 the agency, county, municipality, school district, or other
79 political subdivision of this state shall ~~may~~ award a preference
80 to the lowest responsible and responsive vendor having a
81 principal place of business within this state, which preference
82 is equal to the preference granted by the state or political
83 subdivision thereof in which the lowest responsible and
84 responsive vendor has its principal place of business. In a
85 competitive solicitation in which the lowest bid is submitted by
86 a vendor whose principal place of business is located outside
87 this state and that state does not grant a preference in

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88 competitive solicitation to vendors having a principal place of
89 business in that state, the preference to the lowest responsible
90 and responsive vendor having a principal place of business
91 within this state shall be 5 percent.

92 (b) Paragraph (a) However, this section does not apply to:

93 1. Transportation projects for which federal aid funds are
94 available.

95 2. Bids submitted by the corporation defined in part II of
96 chapter 946, known as the Prison Rehabilitative Industries and
97 Diversified Enterprises, Inc., or PRIDE Enterprises.

98 ~~(2) If a solicitation provides for the granting of such~~
99 ~~preference as is provided in this section, Any vendor whose~~
100 ~~principal place of business is outside this the state of Florida~~
101 ~~must accompany any written bid, proposal, or reply documents~~
102 ~~with a written opinion of an attorney at law licensed to~~
103 ~~practice law in that foreign state, as to the preferences, if~~
104 ~~any or none, granted by the law of that state to its own~~
105 ~~business entities whose principal places of business are in that~~
106 ~~foreign state in the letting of any or all public contracts and~~
107 ~~a written agreement to hire, to the maximum extent possible,~~
108 ~~residents of this state.~~

109 Section 3. This act shall take effect July 1, 2011.