

By the Committee on Governmental Oversight and Accountability;
and Senator Gibson

585-02801-12

20121872c1

1 A bill to be entitled
2 An act relating to small business participation in
3 state contracting; creating s. 287.0577, F.S.;
4 defining the terms "bundled contract" and "small
5 business"; requiring state agencies to accept as
6 responsive a bid by a small business for a portion of
7 a bundled contract; providing an effective date.

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

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11 Section 1. Section 287.0577, Florida Statutes, is created
12 to read:

13 287.0577 Small business participation in state contracting;
14 bundled contracts.-

15 (1) As used in this section, the term:

16 (a) "Bundled contract" means the consolidation of contracts
17 for the procurement of commodities or contractual services, at
18 least part of which may be provided or performed by one or more
19 small businesses, into a single contract that is not appropriate
20 for award to a small business as the prime contractor.

21 (b) "Small business" means a business entity organized for
22 profit that is independently owned and operated, that is not
23 dominant within the business entity's industry, and that:

24 1. Currently is, and for at least the previous 3 years has
25 been, domiciled in the state.

26 2. Has a workforce of 25 or fewer employees, including
27 independent contractors or other contractual personnel.

28 3. Has had, for at least the previous 3 years, average
29 annual gross sales that do not exceed the following:

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30 a. For a contractor licensed under chapter 489, \$3 million
31 per year.

32 b. For a sole proprietorship performing contractual
33 services within the scope of the proprietor's professional
34 license or certification, \$500,000 per year.

35 c. For any other business entity, \$1 million per year.

36 4. Currently has, and for at least the previous 3 years has
37 had, together with its affiliates, a net worth that does not
38 exceed \$5 million. For a sole proprietorship, the net worth
39 limit of \$5 million includes both personal and business
40 investments but does not include the proprietor's primary
41 residence.

42
43 The term includes any such business entity organized as any form
44 of corporation, partnership, limited liability company, sole
45 proprietorship, joint venture, association, trust, cooperative,
46 or other legal entity.

47 (2) An agency must accept as responsive a bid by a small
48 business for a portion of a bundled contract.

49 Section 2. This act shall take effect July 1, 2012.