



201582

LEGISLATIVE ACTION

Senate

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House

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Floor: 2/AD/2R

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03/01/2012 11:47 AM

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Senator Bogdanoff moved the following:

Senate Amendment (with title amendment)

Between lines 41 and 42

insert:

Section 3. Paragraph (f) of subsection (3) of section 287.057, Florida Statutes, is amended to read:

287.057 Procurement of commodities or contractual services.—

(3) When the purchase price of commodities or contractual services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, no purchase of commodities or contractual services may be made without receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies



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14 unless:

15 (f) The following contractual services and commodities are
16 not subject to the competitive-solicitation requirements of this
17 section:

18 1. Artistic services. For the purposes of this subsection,
19 the term "artistic services" does not include advertising or
20 typesetting. As used in this subparagraph, the term
21 "advertising" means the making of a representation in any form
22 in connection with a trade, business, craft, or profession in
23 order to promote the supply of commodities or services by the
24 person promoting the commodities or contractual services.

25 2. Academic program reviews if the fee for such services
26 does not exceed \$50,000.

27 3. Lectures by individuals.

28 4. Legal services, including attorney, paralegal, expert
29 witness, appraisal, or mediator services.

30 5.a. Health services involving examination, diagnosis,
31 treatment, prevention, medical consultation, or administration.

32 b. Beginning January 1, 2011, health services, including,
33 but not limited to, substance abuse and mental health services,
34 involving examination, diagnosis, treatment, prevention, or
35 medical consultation, when such services are offered to eligible
36 individuals participating in a specific program that qualifies
37 multiple providers and uses a standard payment methodology.

38 Reimbursement of administrative costs for providers of services
39 purchased in this manner shall also be exempt. For purposes of
40 this sub-subparagraph, "providers" means health professionals,
41 health facilities, or organizations that deliver or arrange for
42 the delivery of health services.



43 6. Services provided to persons with mental or physical
44 disabilities by not-for-profit corporations which have obtained
45 exemptions under the provisions of s. 501(c)(3) of the United
46 States Internal Revenue Code or when such services are governed
47 by the provisions of Office of Management and Budget Circular A-
48 122. However, in acquiring such services, the agency shall
49 consider the ability of the vendor, past performance,
50 willingness to meet time requirements, and price.

51 7. Medicaid services delivered to an eligible Medicaid
52 recipient unless the agency is directed otherwise in law.

53 8. Family placement services.

54 9. Prevention services related to mental health, including
55 drug abuse prevention programs, child abuse prevention programs,
56 and shelters for runaways, operated by not-for-profit
57 corporations. However, in acquiring such services, the agency
58 shall consider the ability of the vendor, past performance,
59 willingness to meet time requirements, and price.

60 10. Training and education services provided to injured
61 employees pursuant to s. 440.491(6).

62 11. Contracts entered into pursuant to s. 337.11.

63 12. Services or commodities provided by governmental
64 agencies.

65 13. Statewide public service announcement programs provided
66 by a Florida statewide nonprofit corporation under s. 501(c)(6)
67 of the Internal Revenue Code, with a guaranteed documented match
68 of at least \$3 to \$1.

69
70 ===== T I T L E A M E N D M E N T =====

71 And the title is amended as follows:



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72 Delete line 10

73 and insert:

74 be granted; amending s. 287.057, F.S.; providing an
75 exception to the requirement for competitive
76 solicitation of contractual services and commodities
77 for public service announcement programs provided by
78 certain nonprofit corporations; amending s. 287.084,
79 F.S.; requiring,