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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
04/02/2014	.	
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Appropriations Subcommittee on General Government (Simpson)  
recommended the following:

**Senate Amendment**

Between lines 582 and 583  
insert:

(n) In lieu of selecting a contractor by competitive  
procurement, the site owner or responsible party may select a  
contractor under the following conditions:

1. For a site participating in the low-scored site  
initiative pursuant to paragraph (12) (b), the site owner or  
responsible party may select an agency term contractor,



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11 qualified contractor providing pricing terms and conditions  
12 negotiated on best terms with the department, or a qualified  
13 contractor using the informal quote process administered by the  
14 department.

15 2. For a site whose owner or responsible party provides 25  
16 percent or more of the cleanup costs or for program tasks of  
17 which the cost of cleanup will exceed a program cap, the site  
18 owner or responsible party may select an agency term contractor.

19 3. The site owner or responsible party may propose a  
20 grouping of at least 25 sites eligible for state restoration  
21 funding assistance to the department for purpose of entering  
22 into a contract for fixed-price, performance-based cleanup. The  
23 estimated cleanup cost for any such site must be less than the  
24 amount of state restoration funding assistance available for  
25 that site. The performance-based contract may be negotiated  
26 between the department and an agency term contractor designated  
27 by the site owner or responsible party.

28 4. The site owner or responsible party may reject an agency  
29 term contractor before the assignment of work.

30 (o) The Petroleum Restoration Cleanup program is exempt  
31 from the 1 percent requirement under the MyFloridaMarketPlace  
32 system.

33  
34 As used in this section, the term "site owner" or "responsible  
35 party" means the current real property owner or a party to a  
36 responsible party agreement with the current real property  
37 owner. If the person identified in the responsible party  
38 agreement is no longer the current real property owner, the  
39 current real property owner must notify the department that he



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40 or she concurs with the responsible party agreement or does not  
41 object to the responsible party agreement.