

By Senator Montford

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1 A bill to be entitled
2 An act relating to online procurement; amending s.
3 287.012, F.S.; defining the term "online procurement";
4 amending s. 1001.42, F.S.; revising the powers and
5 duties of the district school board to authorize the
6 adoption of rules regarding procurement practices;
7 amending s. 1006.27, F.S.; authorizing a district
8 school board to use online procurement for certain
9 services and purchases; amending s. 1010.04, F.S.;
10 authorizing each district school board, Florida
11 College System board of trustees, and university board
12 of trustees to make purchases through an online
13 procurement system; providing an effective date.

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

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17 Section 1. Present subsections (20) through (29) of section
18 287.012, Florida Statutes, are redesignated as subsections (21)
19 through (30), respectively, and a new subsection (20) is added
20 to that section, to read:

21 287.012 Definitions.—As used in this part, the term:

22 (20) "Online procurement" or "electronic procurement" means
23 a competitive bid process that uses a vendor bid system, an
24 electronic auction service, or other types of procurement that
25 use a web-based system developed by a governmental entity or a
26 third-party software, and that conforms to the procurement
27 process specified in s. 287.057 or by rules adopted by the State
28 Board of Education, school districts, or other state agencies.

29 Section 2. Paragraph (i) of subsection (12) of section

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30 1001.42, Florida Statutes, is amended to read:

31 1001.42 Powers and duties of district school board.—The
32 district school board, acting as a board, shall exercise all
33 powers and perform all duties listed below:

34 (12) FINANCE.—Take steps to assure students adequate
35 educational facilities through the financial procedure
36 authorized in chapters 1010 and 1011 and as prescribed below:

37 (i) *Contracts for materials, supplies, and services.*—
38 Contract for materials, supplies, and services needed for the
39 district school system. No contract for supplying these needs
40 shall be made with any member of the district school board, with
41 the district school superintendent, or with any business
42 organization in which any district school board member or the
43 district school superintendent has any financial interest
44 whatsoever. The district school board may adopt rules to
45 facilitate the efficient and effective procurement of materials,
46 supplies, and services, including the use of online procurement
47 as defined in s. 287.012.

48 Section 3. Subsection (1) of section 1006.27, Florida
49 Statutes, is amended to read:

50 1006.27 Pooling of school buses and related purchases by
51 district school boards; transportation services contracts.—

52 (1) The department shall assist district school boards in
53 securing school buses, contractual needs, equipment, and
54 supplies at as reasonable prices as possible by providing a plan
55 under which district school boards may voluntarily pool their
56 bids for such purchases. The department shall prepare bid forms
57 and specifications, obtain quotations of prices and make such
58 information available to district school boards in order to

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59 facilitate this service and may use online procurement, as
60 defined in s. 287.012. District school boards from time to time,
61 as prescribed by State Board of Education rule, shall furnish
62 the department with information concerning the prices paid for
63 such items and the department shall furnish to district school
64 boards periodic information concerning the lowest prices at
65 which school buses, equipment, and related supplies are
66 available based upon comparable specifications.

67 Section 4. Subsection (2) of section 1010.04, Florida
68 Statutes, is amended to read:

69 1010.04 Purchasing.—

70 (2) Each district school board and Florida College System
71 institution board of trustees shall adopt rules, and each
72 university board of trustees shall adopt regulations, to be
73 followed in making purchases. Purchases may be made through an
74 online procurement system that includes electronic auction
75 services or through other efficient procurement tools.

76 Section 5. This act shall take effect July 1, 2016.