

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Andrade offered the following:

Amendment (with title amendment)

Remove lines 29-32 and insert:

Section 1. Paragraph (a) of subsection (2) of section 255.05, Florida Statutes, is amended, and paragraph (h) is added to subsection (1) of that section, to read:

255.05 Bond of contractor constructing public buildings; form; action by claimants.-

(1) A person entering into a formal contract with the state or any county, city, or political subdivision thereof, or other public authority or private entity, for the construction of a public building, for the prosecution and completion of a

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14 public work, or for repairs upon a public building or public
15 work shall be required, before commencing the work or before
16 recommencing the work after a default or abandonment, to execute
17 and record in the public records of the county where the
18 improvement is located, a payment and performance bond with a
19 surety insurer authorized to do business in this state as
20 surety. A public entity may not require a contractor to secure a
21 surety bond under this section from a specific agent or bonding
22 company.

23 (h) For any public construction, repair, or works project
24 with a bond as required by this section, excluding projects
25 under chapter 337, the amount of retainage withheld by a public
26 entity pursuant to s. 218.735 or s. 255.078 may not exceed 5
27 percent of the total project cost.

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30 **T I T L E A M E N D M E N T**

31 Remove line 3 and insert:
32 255.05, F.S.; providing a cap on certain retainage
33 amounts; requiring a notice of nonpayment to be

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