

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Andrade offered the following:

Substitute Amendment for Amendment (659785) (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

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

24 (h) For any public construction, repair, or works project
 25 with a bond as required by this section, excluding projects
 26 under chapter 337, the amount of retainage withheld by a public
 27 entity pursuant to s. 218.735 or s. 255.078 may not exceed 5
 28 percent. This paragraph shall not apply to any construction
 29 services project advertised for bid by the public entity or
 30 local governmental entity on or before October 1, 2019.

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

34 Remove line 3 and insert:
 35 255.05, F.S.; providing a cap on certain retainage
 36 amounts; providing applicability; requiring a notice
 37 of nonpayment to be

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