

ENROLLED

CS/CS/HB 441

2020 Legislature

1  
2 An act relating to the public procurement of services;  
3 amending s. 255.103, F.S.; revising the maximum dollar  
4 amount for continuing contracts for construction  
5 projects; amending s. 287.055, F.S.; revising the term  
6 "continuing contract" to increase certain maximum  
7 dollar amounts for professional architectural,  
8 engineering, landscape architectural, and surveying  
9 and mapping services; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Subsection (4) of section 255.103, Florida  
14 Statutes, is amended to read:

15 255.103 Construction management or program management  
16 entities.—

17 (4) A governmental entity's authority under subsections  
18 (2) and (3) includes entering into a continuing contract for  
19 construction projects, pursuant to the process provided in s.  
20 287.055, in which the estimated construction cost of each  
21 individual project under the contract does not exceed \$4 ~~\$2~~  
22 million. For purposes of this subsection, the term "continuing  
23 contract" means a contract with a construction management or  
24 program management entity for work during a defined period on  
25 construction projects described by type which may or may not be

ENROLLED

CS/CS/HB 441

2020 Legislature

26 | identified at the time of entering into the contract.

27 | Section 2. Paragraph (g) of subsection (2) of section  
28 | 287.055, Florida Statutes, is amended to read:

29 | 287.055 Acquisition of professional architectural,  
30 | engineering, landscape architectural, or surveying and mapping  
31 | services; definitions; procedures; contingent fees prohibited;  
32 | penalties.—

33 | (2) DEFINITIONS.—For purposes of this section:

34 | (g) A "continuing contract" is a contract for professional  
35 | services entered into in accordance with all the procedures of  
36 | this act between an agency and a firm whereby the firm provides  
37 | professional services to the agency for projects in which the  
38 | estimated construction cost of each individual project under the  
39 | contract does not exceed \$4 ~~\$2~~ million, for study activity if  
40 | the fee for professional services for each individual study  
41 | under the contract does not exceed \$500,000 ~~\$200,000~~, or for  
42 | work of a specified nature as outlined in the contract required  
43 | by the agency, with the contract being for a fixed term or with  
44 | no time limitation except that the contract must provide a  
45 | termination clause. Firms providing professional services under  
46 | continuing contracts shall not be required to bid against one  
47 | another.

48 | Section 3. This act shall take effect July 1, 2020.