



293562

LEGISLATIVE ACTION

Senate

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House

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The Committee on Transportation (Brodeur) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 39 - 84

and insert:

At least 1.5 percent of the amount contracted for new construction and widening projects shall be allocated by the department on a statewide basis for the purchase of plant materials. Department districts may not expend funds for landscaping in connection with any project that is limited to resurfacing existing lanes unless the expenditure has been



293562

11 approved by the department's secretary or the secretary's  
12 designee. ~~To the greatest extent practical, at least 50 percent~~  
13 ~~of the funds allocated under this subsection shall be allocated~~  
14 ~~for large plant materials and the remaining funds for other~~  
15 ~~plant materials.~~ Except as prohibited by applicable federal law  
16 or regulation, all plant materials shall be purchased from  
17 Florida commercial nursery stock in this state on a uniform  
18 competitive bid basis. The department shall develop grades and  
19 standards for landscaping materials purchased through this  
20 process. To accomplish these activities, the department may  
21 contract with nonprofit organizations having the primary purpose  
22 of developing youth employment opportunities.

23 Section 3. Paragraph (c) of subsection (6) of section  
24 337.11, Florida Statutes, is amended to read:

25 337.11 Contracting authority of department; bids; emergency  
26 repairs, supplemental agreements, and change orders; combined  
27 design and construction contracts; progress payments; records;  
28 requirements of vehicle registration.-

29 (6)

30 (c)1. When the department determines that it is in the best  
31 interest of the public for reasons of public concern, economy,  
32 or improved operations, ~~or safety,~~ and only when circumstances  
33 dictate rapid completion of the work, the department may, up to  
34 the amount of \$500,000 ~~\$250,000~~, enter into contracts for  
35 construction and maintenance without advertising and receiving  
36 competitive bids. The department may enter into such contracts  
37 only upon a determination that the work is necessary for one of  
38 the following reasons:

39 a.1. To ensure timely completion of projects or avoidance



293562

40 of undue delay for other projects;

41 ~~b.2.~~ To accomplish minor repairs or construction and  
42 maintenance activities for which time is of the essence and for  
43 which significant cost savings would occur; or

44 ~~c.3.~~ To accomplish nonemergency work necessary to ensure  
45 avoidance of adverse conditions that affect the safe and  
46 efficient flow of traffic.

47 2. When the department determines that work is necessary to  
48 repair or improve conditions on portions of a roadway for  
49 safety, the department may,

50  
51 ===== T I T L E A M E N D M E N T =====

52 And the title is amended as follows:

53 Delete lines 6 - 16

54 and insert:

55 334.044, F.S.; requiring that at least 1.5 percent of  
56 the amount contracted for new construction and  
57 widening projects be allocated by the Department of  
58 Transportation for the purchase of plant materials;  
59 removing a requirement that a certain amount of such  
60 allocation be for the purchase of large plant  
61 materials; amending s. 337.11, F.S.; revising  
62 conditions under which the department is authorized to  
63 enter into certain contracts without advertising and  
64 receiving competitive bids;