HB 1385

1 A bill to be entitled 2 An act relating to state contracting; amending s. 3 287.057, F.S.; requiring an agency subject to ch. 287, 4 F.S., to require any vendor awarded a competitively 5 solicited contract for commodities or contractual 6 services to use certified minority, woman-owned, or 7 veteran-owned business enterprises as subcontractors 8 or subvendors for at least a specified minimum 9 percentage of the contract value; requiring a vendor to identify subcontractors or subvendors when bidding 10 11 for such a contract; requiring the vendor to report 12 certain information regarding subcontractors or 13 subvendors upon performance or completion of the contract; requiring the Office of Supplier Diversity 14 to commission a disparity study to review and evaluate 15 16 the use of minority, women-owned, and veteran-owned 17 business enterprises within this state by a specified 18 date; requiring the study results to be presented to 19 the Legislature by a specified date; providing an appropriation; providing an effective date. 20 21 22 Be It Enacted by the Legislature of the State of Florida: 23 24 Section 1. Subsection (9) of section 287.057, Florida 25 Statutes, is amended to read:

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26 287.057 Procurement of commodities or contractual services.-

28 (9) An agency shall require that may reserve any contract 29 for competitive solicitation may be awarded only to only among 30 vendors who agree to use certified minority business 31 enterprises, woman-owned business enterprises, or veteran-owned 32 business enterprises as subcontractors or subvendors for at least 30 percent of the value of the contract. The percentage of 33 34 funds, in terms of gross contract amount and revenues, which 35 must be expended with such the certified minority business 36 enterprise subcontractors and subvendors must shall be 37 determined by the agency before the contract is made available 38 for bidding such contracts may be reserved. In order to bid on a 39 contract so reserved, the vendor must shall identify in a sworn statement those certified minority business enterprises, woman-40 41 owned business enterprises, or veteran-owned business 42 enterprises that which will be used utilized as subcontractors 43 or subvendors by sworn statement. At the time of performance or 44 project completion, the contractor shall report by sworn 45 statement the payments and completion of work for all certified minority business enterprises, woman-owned business enterprises, 46 47 or veteran-owned business enterprises used in the contract. 48 Section 2. In order to ensure that the requirement 49 established under s. 287.057(9), Florida Statutes, for contracting with minority, woman-owned, or veteran-owned 50

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51	enterprises is met, the Office of Supplier Diversity shall
52	commission a disparity study to review and evaluate the
53	statistical data indicating the availability of, and disparity
54	in the use of, minority, woman-owned, and veteran-owned business
55	enterprises within this state. The study results must be
56	presented to the Legislature no later than December 1, 2023.
57	Section 3. For the 2022-2023 fiscal year, the nonrecurring
58	sum of \$500,000 is appropriated from the General Revenue Fund to
59	the Office of Supplier Diversity within the Department of
60	Management Services for the purpose of conducting the disparity
61	study required by this act. Funds remaining unexpended or
62	unencumbered from this appropriation as of June 30, 2023, shall
63	revert to the General Revenue Fund.
64	Section 4. This act shall take effect July 1, 2022.

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