

By Senator Jones

35-00309-22

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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
10 to identify subcontractors or subvendors when bidding
11 for such a contract; requiring the vendor to report
12 certain information regarding subcontractors or
13 subvendors upon performance or completion of the
14 contract; requiring the Office of Supplier Diversity
15 to commission a disparity study to review and evaluate
16 the use of minority, woman-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
20 appropriation; providing an effective date.

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:

26 287.057 Procurement of commodities or contractual
27 services.—

28 (9) An agency shall require that ~~may reserve~~ any contract
29 for competitive solicitation may be awarded only to ~~only among~~

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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
33 least 30 percent of the value of the contract. The percentage of
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
40 statement those certified minority business enterprises, woman-
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
46 minority business enterprises, woman-owned business enterprises,
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
50 contracting with minority, woman-owned, or veteran-owned
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

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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.