

1                   A bill to be entitled  
2       An act relating to information technology procurement  
3       and contracting; amending s. 20.22, F.S.; providing  
4       that the Bureau of Management and Oversight is within  
5       the Florida Digital Service; amending s. 282.0041,  
6       F.S.; revising and providing definitions; amending s.  
7       282.0051, F.S.; revising the duties and  
8       responsibilities of the Florida Digital Service;  
9       requiring the Florida Digital Service to manage  
10      certain contracts, report certain information to  
11      specified parties annually, and adopt certain rules;  
12      creating s. 282.00513, F.S.; creating the Bureau of  
13      State Enterprise Project Management and Oversight  
14      within the Florida Digital Service; providing duties  
15      and responsibilities of the bureau; requiring certain  
16      parties to designate a chief of the bureau; creating  
17      s. 282.00514, F.S.; requiring state agencies include  
18      specified information in certain solicitations and  
19      contracts; requiring state agencies to follow certain  
20      processes and use certain forms in certain  
21      circumstances; requiring the Florida Digital Service  
22      to provide consultation and work cooperatively with  
23      specified entities in certain circumstances; requiring  
24      certain state agencies take certain actions involving  
25      specified contracts; requiring state agencies provide

information in a specified format; amending s. 282.00515, F.S.; conforming provisions to changes made by the act; amending s. 287.057, F.S.; requiring the Department of Management services to maintain a specified repository for certain records; creating s. 287.0583, F.S.; providing contract requirements for certain information technology commodities and services; amending s. 287.0591, F.S.; revising requirements for information technology competitive solicitations; providing an effective date.

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

**Section 1. Paragraph (b) of subsection (2) of section 20.22, Florida Statutes, is amended to read:**

20.22 Department of Management Services.—There is created a Department of Management Services.

(2) The following divisions, programs, and services within the Department of Management Services are established:

(b) The Florida Digital Service, which shall include the Bureau of Enterprise Project Management and Oversight.

**Section 2. Subsections (24) through (38) of section 282.0041, Florida Statutes, are renumbered as subsections (25) through (39), respectively, subsections (28) and (30) are amended, and a new subsection (24) is added to that section, to**

51 **read:**

52 282.0041 Definitions.—As used in this chapter, the term:

53 (24) "Major information technology system" means an  
54 information technology system with a total cost of ownership of  
55 \$10 million or more, which directly serves or impacts end users  
56 in the delivery of constituent-facing services or which supports  
57 mission-critical operations essential to a state agency's  
58 statutory duties or core business functions.

59 (28)(27) "Project oversight" means an independent review  
60 and assessment ~~analysis~~ of an information technology project  
61 that provides information on the project's scope, completion  
62 timeframes, performance measurement, and budget and that  
63 identifies and quantifies issues or risks affecting the  
64 successful and timely completion of the project.

65 (30)(29) "Risk assessment" means the process of  
66 identifying operational risks and security risks, determining  
67 their magnitude, and identifying areas needing safeguards.

68 **Section 3. Section 282.0051, Florida Statutes, is amended**  
69 **to read:**

70 282.0051 Department of Management Services; Florida  
71 Digital Service; powers, duties, and functions.—

72 (1) The Florida Digital Service is ~~has been~~ created within  
73 the department to propose innovative solutions that securely  
74 modernize state government, including technology and information  
75 services, to achieve value through digital transformation and

76 interoperability, and to fully support the cloud-first policy as  
77 specified in s. 282.206. The ~~department, through the Florida~~  
78 ~~Digital Service,~~ shall ~~have the following powers, duties, and~~  
79 ~~functions:~~

80 (a) Develop and publish information technology policy for  
81 the management of the state's information technology resources.

82 (b) Develop an enterprise architecture that:

83 1. Acknowledges the unique needs of the entities within  
84 the enterprise in the development and publication of standards  
85 and terminologies to facilitate digital interoperability;

86 2. Supports the cloud-first policy as specified in s.  
87 282.206; and

88 3. Addresses how information technology infrastructure may  
89 be modernized to achieve cloud-first objectives.

90 (c) Establish project management and oversight standards  
91 with which state agencies must comply when implementing  
92 information technology projects. The ~~department, acting through~~  
93 ~~the Florida Digital Service,~~ shall update the ~~provide training~~  
94 ~~opportunities to state agencies to assist in the adoption of the~~  
95 ~~project management and oversight standards~~ at least once every 2  
96 years, incorporating best practices from the public and private  
97 sectors, as well as any lessons learned by state agencies. When  
98 updating the standards, the Florida Digital Service shall  
99 solicit input from all state agencies. To support data-driven  
100 decisionmaking, the standards must include, but are not limited

101 to:

102 1. Performance measurements and metrics that objectively  
103 assess ~~reflect~~ the progress and risks ~~status~~ of an information  
104 technology project through performance baselines and monitoring  
105 mechanisms to determine whether the project is performing as  
106 planned and delivering the intended outcomes ~~based on a defined~~  
107 ~~and documented project scope, cost, and schedule.~~

108 2. Methodologies for calculating acceptable variances  
109 between the planned and ~~in the projected versus~~ actual scope of  
110 a technology project which provide clear thresholds to guide  
111 corrective actions. Such methodologies must account for project  
112 complexity and scale, schedule, performance, quality, and the ~~or~~  
113 cost of an information technology project.

114 3. Reporting requirements, including requirements designed  
115 to alert all defined stakeholders when ~~that~~ an information  
116 technology project has exceeded acceptable variances and  
117 specifying procedures for escalating critical issues to  
118 appropriate individuals ~~defined and documented in a project~~  
119 ~~plan.~~

120 4. Content, format, and frequency of project updates.

121 5. Technical standards to ensure an information technology  
122 project complies with the enterprise architecture, including  
123 interoperability, security, scalability, and data management  
124 requirements.

125 6. Mechanisms for engaging stakeholders throughout a

126 project's life cycle.

127 (d) Provide training opportunities to state agencies  
128 regarding the project management and oversight standards.

129 (e)~~(d)~~ Perform project oversight on all state agency  
130 information technology projects that have total project costs of  
131 \$10 million or more and that are funded in the General  
132 Appropriations Act or any other law. The ~~department, acting~~  
133 ~~through the Florida Digital Service,~~ shall report at least  
134 quarterly to the ~~Executive Office of the Governor,~~ the President  
135 of the Senate, and the Speaker of the House of Representatives  
136 on any information technology project that the Florida Digital  
137 Service ~~department~~ identifies as high-risk due to the project  
138 exceeding the acceptable project variance thresholds provided in  
139 the project management and oversight standards ~~ranges defined~~  
140 ~~and documented in a project plan.~~ The report must include:

141 1. A risk assessment, including fiscal risks, associated  
142 with proceeding to the next stage of the project.

143 2. Recommendations,~~and a recommendation~~ for corrective  
144 actions required, including suspension or termination of the  
145 project.

146 3. A list of all projects with a performance deficiency,  
147 reported pursuant to s. 287.057(26)(d)1., which has not been  
148 corrected by the vendor as of the end of the reporting period.

149 (f)~~(e)~~ Identify opportunities for standardization and  
150 consolidation of information technology services that support

151 interoperability and the cloud-first policy, as specified in s.  
152 282.206, and business functions and operations, including  
153 administrative functions such as purchasing, accounting and  
154 reporting, cash management, and personnel, and that are common  
155 across state agencies. The ~~department, acting through the~~  
156 Florida Digital Service~~7~~, shall biennially on January 15 ~~±~~ of  
157 each odd-numbered ~~even-numbered~~ year provide recommendations for  
158 standardization and consolidation to the ~~Executive Office of the~~  
159 Governor, the President of the Senate, and the Speaker of the  
160 House of Representatives.

161 (g)~~(f)~~ Establish best practices for the procurement of  
162 information technology products and cloud-computing services in  
163 order to reduce costs, increase the quality of data center  
164 services, or improve government services.

165 (h)~~(g)~~ Develop standards for information technology  
166 reports and updates, including, but not limited to, operational  
167 work plans, project spend plans, and project status reports, for  
168 use by state agencies.

169 (i)~~(h)~~ Upon request, assist state agencies in the  
170 development of information technology-related legislative budget  
171 requests.

172 (j)~~(i)~~ Conduct annual assessments of state agencies to  
173 determine compliance with all information technology standards  
174 and guidelines developed and published by the department and  
175 provide results of the assessments to the ~~Executive Office of~~

176 the Governor, the President of the Senate, and the Speaker of  
177 the House of Representatives.

178 ~~(j) Conduct a market analysis not less frequently than~~  
179 ~~every 3 years beginning in 2021 to determine whether the~~  
180 ~~information technology resources within the enterprise are~~  
181 ~~utilized in the most cost-effective and cost-efficient manner,~~  
182 ~~while recognizing that the replacement of certain legacy~~  
183 ~~information technology systems within the enterprise may be cost~~  
184 ~~prohibitive or cost inefficient due to the remaining useful life~~  
185 ~~of those resources; whether the enterprise is complying with the~~  
186 ~~cloud-first policy specified in s. 282.206; and whether the~~  
187 ~~enterprise is utilizing best practices with respect to~~  
188 ~~information technology, information services, and the~~  
189 ~~acquisition of emerging technologies and information services.~~  
190 ~~Each market analysis shall be used to prepare a strategic plan~~  
191 ~~for continued and future information technology and information~~  
192 ~~services for the enterprise, including, but not limited to,~~  
193 ~~proposed acquisition of new services or technologies and~~  
194 ~~approaches to the implementation of any new services or~~  
195 ~~technologies. Copies of each market analysis and accompanying~~  
196 ~~strategic plan must be submitted to the Executive Office of the~~  
197 ~~Governor, the President of the Senate, and the Speaker of the~~  
198 ~~House of Representatives not later than December 31 of each year~~  
199 ~~that a market analysis is conducted.~~

200 (k) Recommend ~~other~~ information technology services that



201 should be designed, delivered, and managed as enterprise  
202 information technology services. Recommendations must include  
203 the identification of existing information technology resources  
204 associated with the services, if existing services must be  
205 transferred as a result of being delivered and managed as  
206 enterprise information technology services. The recommendations  
207 must be submitted to the Governor, the President of the Senate,  
208 and the Speaker of the House of Representatives no later than  
209 January 15 of each odd-numbered year.

210 (l) In consultation with state agencies, propose a  
211 methodology and approach for identifying and collecting both  
212 current and planned information technology expenditure data at  
213 the state agency level.

214 (m)1. Notwithstanding any other law, provide project  
215 oversight on any information technology project of the  
216 Department of Financial Services, the Department of Legal  
217 Affairs, and the Department of Agriculture and Consumer Services  
218 which has a total project cost of \$20 million or more. Such  
219 information technology projects must also comply with the  
220 applicable information technology architecture, project  
221 management and oversight, and reporting standards established by  
222 the ~~department, acting through the~~ Florida Digital Service.

223 2. When performing the project oversight function  
224 specified in subparagraph 1., report at least quarterly to the  
225 ~~Executive Office of the Governor,~~ the President of the Senate,

226 and the Speaker of the House of Representatives on any  
227 information technology project that the ~~department, acting~~  
228 ~~through the Florida Digital Service,~~ identifies as high-risk due  
229 to the project exceeding the established acceptable project  
230 variance thresholds ~~ranges defined and documented in the project~~  
231 ~~plan~~. The report shall include a risk assessment, including  
232 fiscal risks, associated with proceeding to the next stage of  
233 the project and a recommendation for corrective actions  
234 required, including suspension or termination of the project.

235 ~~(n) If an information technology project implemented by a~~  
236 ~~state agency must be connected to or otherwise accommodated by~~  
237 ~~an information technology system administered by the Department~~  
238 ~~of Financial Services, the Department of Legal Affairs, or the~~  
239 ~~Department of Agriculture and Consumer Services, consult with~~  
240 ~~these departments regarding the risks and other effects of such~~  
241 ~~projects on their information technology systems and work~~  
242 ~~cooperatively with these departments regarding the connections,~~  
243 ~~interfaces, timing, or accommodations required to implement such~~  
244 ~~projects.~~

245 (n) ~~(o)~~ If adherence to standards or policies adopted by or  
246 established pursuant to this section causes conflict with  
247 federal regulations or requirements imposed on an entity within  
248 the enterprise and results in adverse action against an entity  
249 or federal funding, work with the entity to provide alternative  
250 standards, policies, or requirements that do not conflict with

the federal regulation or requirement. The ~~department, acting~~  
through the Florida Digital Service, shall ~~annually~~ report each  
January 15 such alternative standards to the ~~Executive Office of~~  
the Governor, the President of the Senate, and the Speaker of  
the House of Representatives.

(o) ~~(p)~~ 1. Establish an information technology policy for  
all information technology-related state contracts, including  
state term contracts for information technology commodities,  
consultant services, and staff augmentation services. The  
information technology policy must include:

a. Identification of the information technology product  
and service categories to be included in state term contracts.

b. Requirements to be included in solicitations for ~~state~~  
~~term~~ contracts.

c. Evaluation criteria for the award of information  
technology-related ~~state term~~ contracts.

d. The term of each information technology-related state  
term contract.

e. The maximum number of vendors authorized on each state  
term contract.

f. At a minimum, a requirement that any contract for  
information technology commodities or services meet the National  
Institute of Standards and Technology Cybersecurity Framework.

g. For an information technology project wherein project  
oversight is required pursuant to paragraph (e) ~~(d)~~ or paragraph

(m), a requirement that independent verification and validation be employed throughout the project life cycle with the primary objective of independent verification and validation being to provide an objective assessment of products and processes throughout the project life cycle. An entity providing independent verification and validation may not have technical, managerial, or financial interest in the project and may not have responsibility for, or participate in, any other aspect of the project.

2. Evaluate vendor responses for information technology-related state term contract solicitations and invitations to negotiate.

3. Answer vendor questions on information technology-related state term contract solicitations.

4. Ensure that the information technology policy established pursuant to subparagraph 1. is included in all solicitations and contracts that are ~~administratively~~ executed by the department.

(p) ~~(q)~~ Recommend potential methods for standardizing data across state agencies which will promote interoperability and reduce the collection of duplicative data.

(q) ~~(r)~~ Recommend open data technical standards and terminologies for use by the enterprise.

(r) ~~(s)~~ Ensure that enterprise information technology solutions are capable of utilizing an electronic credential and

301 comply with the enterprise architecture standards.

302 (s) Review all state agency information technology  
303 legislative budget requests to identify compliance issues  
304 related to the enterprise architecture, project planning  
305 standards, and cybersecurity.

306 (t) Identify efficiency opportunities in the use of  
307 information technology resources.

308 (u) Submit recommendations for improvement or any  
309 statutory changes necessary to implement the improvements to the  
310 Governor, the President of the Senate, and the Speaker of the  
311 House of Representatives no later than November 15 of each year.

312 (v) Develop and publish, in collaboration with the  
313 enterprise, a data dictionary for each agency that reflects the  
314 nomenclature in the comprehensive indexed data catalog.

315 (w) Each December 1, compile an enterprise report of major  
316 information technology systems approaching end-of-life within 5  
317 fiscal years after such December 1, and submit the report to the  
318 Governor, the President of the Senate, and the Speaker of the  
319 House of Representatives. For purposes of this paragraph, "end-  
320 of-life" means the point at which an information technology  
321 resource no longer receives vendor support, uses obsolete  
322 technology, cannot be adequately maintained, or fails to meet  
323 enterprise architecture standards. The report must:

324 1. Describe each major information technology system,  
325 including its primary functions, user base, and dependencies

326 with other systems.

327 2. Provide the age, projected end-of-life date, technology  
328 platform, and vendor support status of such system.

329 3. Identify the risks to operations, service delivery, or  
330 cybersecurity if such system reaches end-of-life without  
331 replacement.

332 4. Describe the plan for such system's replacement,  
333 modernization, or retirement.

334 (2) (a) The Secretary of Management Services shall  
335 designate a state chief information officer, who shall  
336 administer the Florida Digital Service. The state chief  
337 information officer, prior to appointment, must have at least 5  
338 years of experience in the development of information system  
339 strategic planning and development or information technology  
340 policy, and, preferably, have leadership-level experience in the  
341 design, development, and deployment of interoperable software  
342 and data solutions.

343 (b) The state chief information officer, in consultation  
344 with the Secretary of Management Services, shall designate a  
345 state chief data officer. The chief data officer must be a  
346 proven and effective administrator who must have significant and  
347 substantive experience in data management, data governance,  
348 interoperability, and security.

349 (3) ~~The department, acting through the Florida Digital~~  
350 ~~Service and from funds appropriated to the Florida Digital~~

351 ~~Service,~~ shall:

352 ~~(a) Create, not later than December 1, 2022,~~ and maintain  
353 a comprehensive indexed data catalog in collaboration with the  
354 enterprise that lists the data elements housed within the  
355 enterprise and the legacy system or application in which these  
356 data elements are located. The data catalog must, at a minimum,  
357 specifically identify all data that is restricted from public  
358 disclosure based on federal or state laws and regulations and  
359 require that all such information be protected in accordance  
360 with s. 282.318.

361 (4) The Florida Digital Service shall manage all  
362 independent verification and validation contracts for state  
363 agencies entered into or amended on or after July 1, 2026.

364 ~~(b) Develop and publish, not later than December 1, 2022,~~  
365 ~~in collaboration with the enterprise, a data dictionary for each~~  
366 ~~agency that reflects the nomenclature in the comprehensive~~  
367 ~~indexed data catalog.~~

368 ~~(c) Adopt, by rule, standards that support the creation~~  
369 ~~and deployment of an application programming interface to~~  
370 ~~facilitate integration throughout the enterprise.~~

371 ~~(d) Adopt, by rule, standards necessary to facilitate a~~  
372 ~~secure ecosystem of data interoperability that is compliant with~~  
373 ~~the enterprise architecture.~~

374 ~~(e) Adopt, by rule, standards that facilitate the~~  
375 ~~deployment of applications or solutions to the existing~~

376 ~~enterprise system in a controlled and phased approach.~~

377 ~~(f) After submission of documented use cases developed in~~  
378 ~~conjunction with the affected agencies, assist the affected~~  
379 ~~agencies with the deployment, contingent upon a specific~~  
380 ~~appropriation therefor, of new interoperable applications and~~  
381 ~~solutions:~~

382 ~~1. For the Department of Health, the Agency for Health~~  
383 ~~Care Administration, the Agency for Persons with Disabilities,~~  
384 ~~the Department of Education, the Department of Elderly Affairs,~~  
385 ~~and the Department of Children and Families.~~

386 ~~2. To support military members, veterans, and their~~  
387 ~~families.~~

388 ~~(5)-(4)~~ For information technology projects that have a  
389 total project cost of \$10 million or more, the Florida Digital  
390 Service shall:

391 (a) No later than January 1, 2027, establish a  
392 presolicitation planning framework that includes standards,  
393 procedures, forms, and guidance that state agencies must follow  
394 before issuing a competitive solicitation ~~provide the Florida~~  
395 ~~Digital Service with written notice of any planned procurement~~  
396 ~~of an information technology project.~~

397 (b) ~~The Florida Digital Service must~~ Participate in the  
398 development of specifications and recommend modifications to any  
399 planned procurement of an information technology project by  
400 state agencies so that the procurement complies with the



401 enterprise architecture and the presolicitation planning  
402 framework.

403 (c) Certify that a state agency has complied with the  
404 presolicitation planning framework and is ready to initiate the  
405 planned procurement. The Florida Digital Service shall withhold  
406 certification for any project that does not comply with the  
407 established presolicitation planning framework.

408 (d)(e) The Florida Digital Service must Participate in  
409 post-award contract monitoring, including risk oversight and  
410 monitoring for issues or situations that should be elevated to  
411 ensure timely resolution of the issue or situation.

412 (6)(5) The department, acting through the Florida Digital  
413 Service, may not retrieve or disclose any data without a shared-  
414 data agreement in place between the Florida Digital Service  
415 department and the enterprise entity that has primary custodial  
416 responsibility of, or data-sharing responsibility for, that  
417 data. The Florida Digital Service shall report to the Governor,  
418 the President of the Senate, and the Speaker of the House of  
419 Representatives each January 15 any failure to reach a shared-  
420 data agreement with a state agency that prevents the Florida  
421 Digital Service from fulfilling its duties and responsibilities.

422 (7)(6) The department, acting through the Florida Digital  
423 Service, shall adopt rules:

424 (a) To administer this section.

425 (b) To support the creation and deployment of an

application programming interface to facilitate integration throughout the enterprise.

(c) Necessary to facilitate a secure ecosystem of data interoperability which is compliant with the enterprise architecture.

(d) To facilitate the deployment of applications or solutions to the existing enterprise system in a controlled and phased approach.

**Section 4. Section 282.00513, Florida Statutes, is created to read:**

282.00513 Bureau of Enterprise Project Management and Oversight; duties.—

(1) There is created a Bureau of Enterprise Project Management and Oversight within the Florida Digital Service, which shall:

(a) Oversee the procurement of information technology commodities and services by state agencies.

(b) Oversee the performance of vendors under information technology contracts for commodities or services entered into by state agencies.

(c) Develop a framework that provides processes, activities, and deliverables state agencies must comply with when planning an information technology project. The processes, activities, and deliverables must include, but are not limited to:

451        1. Business case development. The business case  
452 development must include the information required by s.  
453 287.0571(4), full life cycle cost estimates, governance  
454 structure, system interoperability goals, data management plans,  
455 scalability approach, evaluation of cybersecurity and data  
456 privacy risks, and technology-specific performance metrics and  
457 service levels.

458        2. Market research, including the use of a request for  
459 information as defined in s. 287.012.

460        3. Planning and scheduling.

461        4. Stakeholder engagement.

462        5. Risk assessment.

463        6. Procurement strategy.

464        7. Project governance definition.

465        8. System design and requirements.

466        9. Change management.

467        10. Monitoring and reporting.

468        11. Postimplementation review and planning.

469        12. Solicitation documentation.

470        (d) Develop forms for state agencies to use to evaluate  
471 and report the performance of information technology vendors in  
472 the delivery of information technology commodities or services  
473 on or before January 1, 2027.

474        (e) Develop trainings specific to information technology  
475 that supplement and enhance the trainings offered by the

department and the Chief Financial Officer under s.  
287.057(15)(b). The bureau shall evaluate such training every 2  
years to assess the effectiveness and update the training  
curriculum. The training must be designed to:

1. Address the unique requirements and risk profiles of  
state information technology projects, procurements, contract  
management, and vendor management.

2. Improve the technical understanding of the job  
requirements, certifications, and skill sets required by state  
agencies recruiting for information technology roles.

(2) The state chief information officer, in consultation  
with the Secretary of Management Services, shall designate a  
chief of the Bureau of Enterprise Project Management and  
Oversight. The chief must have demonstrable experience in the  
governance of large-scale public sector information technology  
initiatives and portfolios, negotiation and management of  
information technology contracts, modular contracting and  
delivery, and performance management.

**Section 5. Section 282.00514, Florida Statutes, is created  
to read:**

282.00514 Duties of state agencies.—

(1) State agencies must include the information technology  
policy adopted pursuant to s. 282.0051(1)(o) in all  
solicitations and contracts for information technology  
commodities or services.

501        (2) State agencies must follow the processes and use the  
502 forms developed by the Bureau of Enterprise Project Management  
503 and Oversight to evaluate and report the performance of  
504 information technology vendors in the delivery of information  
505 technology commodities or services.

506        (3) If an information technology project implemented by a  
507 state agency must be connected to or otherwise accommodated by  
508 an information technology system administered by the Department  
509 of Financial Services, the Department of Legal Affairs, or the  
510 Department of Agriculture and Consumer Services, the Florida  
511 Digital Service must consult with these departments regarding  
512 the risks and other effects of such projects on their  
513 information technology systems and work cooperatively with these  
514 departments regarding the connections, interfaces, timing, or  
515 accommodations required to implement such projects.

516        (4) For information technology projects that have a total  
517 project cost of \$10 million or more, state agencies:

518        (a) Must provide the Florida Digital Service with written  
519 notice of any planned procurement of an information technology  
520 project, the proposed scope, the project specifications, and the  
521 project business case at least 90 days before the planned  
522 publication date of the competitive solicitation.

523        (b) Must receive certification by the Florida Digital  
524 Service that the project planning complies with the  
525 presolicitation planning framework established by the Florida

Digital Service before any competitive solicitation related to an information technology project may be issued.

(c) Must provide the Florida Digital Service all information necessary for the Florida Digital Service to fulfill its project oversight responsibilities.

(5) State agencies must provide the information required to complete the report in s. 282.0051(1)(w) in a format and manner prescribed by the Florida Digital Service and must certify the information provided is accurate and complete to the best of their knowledge as of the submission date.

**Section 6. Subsections (1) and (3) and paragraph (b) of subsection (4) of section 282.00515, Florida Statutes, are amended to read:**

282.00515 Duties of Cabinet agencies.—

(1) The Department of Legal Affairs, the Department of Financial Services, and the Department of Agriculture and Consumer Services shall adopt the standards established in s. 282.0051(1)(b), (c), and (q) and (7)(d) ~~s. 282.0051(1)(b), (c), and (r) and (3)(e)~~ or adopt alternative standards based on best practices and industry standards that allow for open data interoperability.

(3) The Department of Legal Affairs, the Department of Financial Services, and the Department of Agriculture and Consumer Services may contract with the Florida Digital Service ~~department~~ to provide or perform any of the services and

functions described in s. 282.0051.

(4)

(b) The ~~department, acting through the~~ Florida Digital Service, may not retrieve or disclose any data without a shared-data agreement in place between the Florida Digital Service ~~department~~ and the Department of Legal Affairs, the Department of Financial Services, or the Department of Agriculture and Consumer Services.

**Section 7. Paragraph (e) is added to subsection (26) of section 287.057, Florida Statutes, to read:**

287.057 Procurement of commodities or contractual services.—

(26)

(e) The department must maintain a centralized repository of vendor performance records developed by the continuing oversight teams for information technology services contracts.

**Section 8. Section 287.0583, Florida Statutes, is created to read:**

287.0583 Contract requirements for information technology commodities or services.—A contract for information technology commodities or services involving the development, customization, implementation, integration, support or maintenance of software systems, applications, platforms, or related services must ensure the following:

(1) Any data created, processed, or maintained under the

contract is portable and can be extracted in a machine-readable format upon request.

(2) The vendor will provide, upon request, comprehensive operational documentation sufficient to allow continued operation and maintenance by the agency or a new vendor.

(3) The vendor will provide, upon request, reasonable assistance and support during a transition to the agency or to a new vendor.

(4) All anticipated software license fees, license renewal fees, and operation and maintenance costs are documented in detail. If exact figures are not feasible, the vendor must provide a reasonable cost range.

**Section 9. Section 287.0591, Florida Statutes, is amended to read:**

287.0591 Information technology competitive solicitations and state term contracts; vendor performance ~~disqualification~~.

(1) (a) Any competitive solicitation issued by the department for a state term contract for information technology commodities must include a term that does not exceed 48 months.

(b) ~~(2)~~ Any competitive solicitation issued by the department for a state term contract for information technology consultant services or information technology staff augmentation contractual services must include a term that does not exceed 48 months.

(c) ~~(3)~~ The department may execute a state term contract



601 for information technology commodities, consultant services, or  
602 staff augmentation contractual services that exceeds the 48-  
603 month requirement if the Secretary of Management Services and  
604 the state chief information officer certify in writing to the  
605 ~~Executive Office of the~~ Governor that a longer contract term is  
606 in the best interest of the state.

607 ~~(2)(4) If the department issues a competitive solicitation~~  
608 ~~for information technology commodities, consultant services, or~~  
609 ~~staff augmentation contractual services,~~ The Florida Digital  
610 Service ~~within the department~~ shall participate in such  
611 competitive solicitations for information technology  
612 commodities, consultant services, or staff augmentation  
613 contractual services issued by the department, which shall  
614 include reviewing the solicitation specifications to verify  
615 compliance with enterprise architecture and cybersecurity  
616 standards, evaluating vendor responses under established  
617 criteria, answering vendor questions, and providing any other  
618 technical expertise necessary.

619 ~~(3)(a)(5)~~ If an agency issues a request for quote to  
620 purchase information technology commodities, information  
621 technology consultant services, or information technology staff  
622 augmentation contractual services from the state term contract  
623 that meets the CATEGORY TWO threshold amount, but is less than  
624 the CATEGORY FOUR threshold amount:

625 1. For any contract with 25 approved vendors or fewer, the

agency must issue a request for quote to all vendors approved to provide such commodity or service.

2. For any contract with more than 25 approved vendors, the agency must issue a request for quote to at least 25 of the vendors approved to provide such commodity or contractual service.

(b) The agency must maintain a copy of the request for quote, the identity of the vendor that was sent the request for quote, and any vendor responses to the request for quote for 2 years after the date of issuance of the purchase order.

(c) Use of a request for quote does not constitute a decision or intended decision that is subject to protest under s. 120.57(3).

(4) (a) An agency issuing a request for quote to purchase information technology commodities, information technology consultant services, or information technology staff augmentation contractual services from the state term contract which exceeds the CATEGORY FOUR threshold amount must publish on a searchable and publicly available system of record maintained by the department:

1. The request for quote for a minimum of 10 days before executing a purchase order.

2. The name of the vendor awarded the purchase order.

(b) The agency must maintain a copy of the request for quote, the identity of the vendor that was sent the request for

quote, and any vendor responses to the request for quote for 2  
years after the date of issuance of the purchase order.

(c) Use of a request for quote does not constitute a  
decision or intended decision that is subject to protest under  
s. 120.57(3).

(5) Agencies issuing a competitive solicitation to  
purchase information technology services must consult the  
repository of vendor performance records developed under s.  
287.057(26)(e), and consider any relevant records when  
evaluating vendor responses to the competitive solicitation.

(6) To the extent practicable, an agency's contract for  
the procurement of a major information technology system must be  
divided into increments that:

(a) Address complex information technology objectives  
incrementally to enhance the likelihood of attaining those  
objectives.

(b) Provide for delivery, implementation, and testing of  
workable systems or solutions in discrete increments, each of  
which comprises a system or solution that is not dependent on a  
subsequent increment in order to perform its principal  
functions.

(c) Provide an opportunity for subsequent increments of  
the acquisition to take advantage of any evolution in technology  
or needs that occurs during the implementation of earlier  
increments.

676        (7) (a) (6) ~~Beginning October 1, 2021, and~~ Each October 1  
677 ~~thereafter,~~ the department shall prequalify firms and  
678 individuals to provide information technology staff augmentation  
679 contractual services and information technology commodities on  
680 state term contract.

681        (b) In order to prequalify a firm or individual for  
682 participation on the state term contract, the department must  
683 consider, at a minimum, the capability, experience, and past  
684 performance record of the firm or individual.

685        (c) A firm or individual removed from the source of supply  
686 pursuant to s. 287.042(1)(b) or placed on a disqualified vendor  
687 list pursuant to s. 287.133 or s. 287.134 is immediately  
688 disqualified from state term contract eligibility.

689        (d) Once a firm or individual has been prequalified to  
690 provide information technology staff augmentation contractual  
691 services or information technology commodities on state term  
692 contract, the firm or individual may respond to requests for  
693 quotes from an agency to provide such services.

694        **Section 10.** This act shall take effect July 1, 2026.