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A bill to be entitled  
An act relating to information technology procurement and contracting; amending s. 20.22, F.S.; providing that the Bureau of Enterprise Project Management and Oversight is within the Florida Digital Service; amending s. 282.0041, F.S.; revising and providing definitions; amending s. 282.0051, F.S.; revising the duties and responsibilities of the Florida Digital Service; requiring the Florida Digital Service to manage certain contracts, report certain information to specified parties annually, and adopt certain rules; creating s. 282.00513, F.S.; creating the Bureau of Enterprise Project Management and Oversight within the Florida Digital Service; providing duties and responsibilities of the bureau; requiring certain parties to designate a chief of the bureau; creating s. 282.00514, F.S.; requiring state agencies include specified information in certain solicitations and contracts; requiring state agencies to follow certain processes and use certain forms in certain circumstances; requiring state agencies to consult with the Florida Digital Service and work cooperatively with specified entities in certain circumstances; requiring state agencies take certain actions related to information technology project

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procurement planning; requiring state agencies to comply with a specified framework established by the Bureau of Enterprise Project Management and Oversight; 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.

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51       **Section 2. Subsections (24) through (38) of section**  
52       **282.0041, Florida Statutes, are renumbered as subsections (25)**  
53       **through (39), respectively, subsections (28) and (30) are**  
54       **amended, and a new subsection (24) is added to that section, to**  
55       **read:**

56       282.0041 Definitions.—As used in this chapter, the term:  
57        (24) "Major information technology system" means an  
58        information technology system with a total cost of ownership of  
59        \$10 million or more, which directly serves or impacts end users  
60        in the delivery of constituent-facing services or which supports  
61        mission-critical operations essential to a state agency's  
62        statutory duties or core business functions.

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

69        (30) (29) "Risk assessment" means the process of  
70        identifying operational risks and security risks, determining  
71        their magnitude, and identifying areas needing safeguards.

72       **Section 3. Section 282.0051, Florida Statutes, is amended**  
73       **to read:**

74       282.0051 Department of Management Services; Florida  
75       Digital Service; powers, duties, and functions.—

76       (1) The Florida Digital Service is ~~has been~~ created within  
77 the department to propose innovative solutions that securely  
78 modernize state government, including technology and information  
79 services, to achieve value through digital transformation and  
80 interoperability, and to fully support the cloud-first policy as  
81 specified in s. 282.206. The ~~department, through the~~ Florida  
82 Digital Service, shall ~~have the following powers, duties, and~~  
83 ~~functions:~~

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

86       (b) Develop an enterprise architecture that:

87       1. Acknowledges the unique needs of the entities within  
88 the enterprise in the development and publication of standards  
89 and terminologies to facilitate digital interoperability;

90       2. Supports the cloud-first policy as specified in s.  
91 282.206; and

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

94       (c) Establish project management and oversight standards  
95 with which state agencies must comply when implementing  
96 information technology projects. The ~~department, acting through~~  
97 ~~the~~ Florida Digital Service, shall update the ~~provide~~ training  
98 ~~opportunities to state agencies to assist in the adoption of the~~  
99 ~~project management and oversight standards by July 1, 2027, and~~  
100 at least once every 2 years thereafter, incorporating best

101 practices from the public and private sectors, as well as any  
102 lessons learned by state agencies. When updating the standards,  
103 the Florida Digital Service shall solicit input from all state  
104 agencies. To support data-driven decisionmaking, the standards  
105 must include, but are not limited to:

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

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

118 3. Reporting requirements, including requirements designed  
119 to alert all defined stakeholders and the chairs of the  
120 legislative appropriations committees when that an information  
121 technology project has exceeded acceptable variances and  
122 specifying procedures for escalating critical issues to  
123 appropriate individuals defined and documented in a project  
124 plan.

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

126        5. Technical standards to ensure an information technology  
127        project complies with the enterprise architecture, including  
128        interoperability, security, scalability, and data management  
129        requirements.

130        6. Mechanisms for engaging stakeholders throughout a  
131        project's life cycle.

132        (d) Provide training opportunities to state agencies  
133        regarding the information technology project management and  
134        oversight standards.

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

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

149        2. Recommendations, and a recommendation for corrective  
150        actions required, including suspension or termination of the

151 project.

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

155       (f) (e) Identify opportunities for standardization and  
156 consolidation of information technology services that support  
157 interoperability and the cloud-first policy, as specified in s.  
158 282.206, and business functions and operations, including  
159 administrative functions such as purchasing, accounting and  
160 reporting, cash management, and personnel, and that are common  
161 across state agencies. The department, acting through the  
162 Florida Digital Service, shall biennially on January 15 ~~±~~ of  
163 each odd-numbered even-numbered year provide recommendations for  
164 standardization and consolidation to the Executive Office of the  
165 Governor, the President of the Senate, and the Speaker of the  
166 House of Representatives.

167       (g) (f) Establish best practices for the procurement of  
168 information technology products and cloud-computing services in  
169 order to reduce costs, increase the quality of data center  
170 services, or improve government services.

171       (h) (g) Develop standards for information technology  
172 reports and updates, including, but not limited to, operational  
173 work plans, project spend plans, and project status reports, for  
174 use by state agencies.

175       (i) (h) Upon request, assist state agencies in the

176 development of information technology-related legislative budget  
177 requests.

178 ~~(j)(i)~~ Conduct annual assessments of state agencies to  
179 determine compliance with all information technology standards  
180 and guidelines developed and published by the department and  
181 provide results of the assessments to the ~~Executive Office of~~  
182 the Governor, the President of the Senate, and the Speaker of  
183 the House of Representatives.

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

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201 technologies. Copies of each market analysis and accompanying  
202 strategic plan must be submitted to the Executive Office of the  
203 Governor, the President of the Senate, and the Speaker of the  
204 House of Representatives not later than December 31 of each year  
205 that a market analysis is conducted.

206 (k) Recommend ~~ether~~ information technology services that  
207 should be designed, delivered, and managed as enterprise  
208 information technology services. Recommendations must include  
209 the identification of existing information technology resources  
210 associated with the services, if existing services must be  
211 transferred as a result of being delivered and managed as  
212 enterprise information technology services. The recommendations  
213 must be submitted to the Governor, the President of the Senate,  
214 and the Speaker of the House of Representatives no later than  
215 January 15 of each odd-numbered year.

216 (l) In consultation with state agencies, propose a  
217 methodology and approach for identifying and collecting both  
218 current and planned information technology expenditure data at  
219 the state agency level.

220 (m) 1. Notwithstanding any other law, provide project  
221 oversight on any information technology project of the  
222 Department of Financial Services, the Department of Legal  
223 Affairs, and the Department of Agriculture and Consumer Services  
224 which has a total project cost of \$20 million or more. Such  
225 information technology projects must also comply with the

226 applicable information technology architecture, project  
227 management and oversight, and reporting standards established by  
228 the ~~department, acting through the~~ Florida Digital Service.

229 2. When performing the project oversight function  
230 specified in subparagraph 1., report at least quarterly to the  
231 ~~Executive Office of the~~ Governor, the President of the Senate,  
232 and the Speaker of the House of Representatives on any  
233 information technology project that the ~~department, acting~~  
234 ~~through the~~ Florida Digital Service, identifies as high-risk due  
235 to the project exceeding the established acceptable project  
236 variance thresholds ranges defined and documented in the project  
237 plan. The report shall include a risk assessment, including  
238 fiscal risks, associated with proceeding to the next stage of  
239 the project and a recommendation for corrective actions  
240 required, including suspension or termination of the project.

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

251        (n) If adherence to standards or policies adopted by or  
252        established pursuant to this section causes conflict with  
253        federal regulations or requirements imposed on an entity within  
254        the enterprise and results in adverse action against an entity  
255        or federal funding, work with the entity to provide alternative  
256        standards, policies, or requirements that do not conflict with  
257        the federal regulation or requirement. The ~~department~~, ~~acting~~  
258        ~~through the Florida Digital Service,~~ shall ~~annually report each~~  
259        January 15 such alternative standards to the ~~Executive Office of~~  
260        ~~the Governor, the President of the Senate, and the Speaker of~~  
261        the House of Representatives.

262        (o) Establish an information technology policy for  
263        all information technology-related state contracts, including  
264        state term contracts for information technology commodities,  
265        consultant services, and staff augmentation services. The  
266        information technology policy must include:

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

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

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

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

275            e. The maximum number of vendors authorized on each state

276 term contract.

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

280 g. For an information technology project wherein project  
281 oversight is required pursuant to paragraph (e) ~~(d)~~ or paragraph  
282 (m), a requirement that independent verification and validation  
283 be employed throughout the project life cycle with the primary  
284 objective of independent verification and validation being to  
285 provide an objective assessment of products and processes  
286 throughout the project life cycle. An entity providing  
287 independent verification and validation may not have technical,  
288 managerial, or financial interest in the project and may not  
289 have responsibility for, or participate in, any other aspect of  
290 the project.

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

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

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

300 (p) (q) Recommend potential methods for standardizing data

301 across state agencies which will promote interoperability and  
302 reduce the collection of duplicative data.

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

305 (r) (s) Ensure that enterprise information technology  
306 solutions are capable of utilizing an electronic credential and  
307 comply with the enterprise architecture standards.

308 (s) Review all state agency information technology  
309 legislative budget requests to identify compliance issues  
310 related to the enterprise architecture, project planning  
311 standards, data interoperability, and cybersecurity.

312 (t) Identify efficiency opportunities in the use of  
313 information technology resources.

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

318 (v) Develop, maintain, and publish, in collaboration with  
319 the enterprise, a data dictionary for each agency that reflects  
320 the nomenclature in the comprehensive indexed data catalog.

321 (w) Each December 1, compile an enterprise report of major  
322 information technology systems approaching end-of-life within 5  
323 fiscal years after such December 1, and submit the report to the  
324 Governor, the President of the Senate, and the Speaker of the  
325 House of Representatives. For purposes of this paragraph, "end-

326 of-life" means the point at which an information technology  
327 resource no longer receives vendor support, uses obsolete  
328 technology, cannot be adequately maintained, or fails to meet  
329 enterprise architecture standards. The report must:

330 1. Describe each major information technology system,  
331 including its primary functions, user base, and interconnections  
332 or dependencies with other systems.

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

335 3. Identify the risks to operations, service delivery, or  
336 cybersecurity if such system reaches end-of-life without  
337 replacement.

338 4. Describe the plan for such system's replacement,  
339 modernization, or retirement.

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

349 (b) The state chief information officer, in consultation  
350 with the Secretary of Management Services, shall designate a

351 state chief data officer. The chief data officer must be a  
352 proven and effective administrator who must have significant and  
353 substantive experience in data management, data governance,  
354 interoperability, and security.

355 (3) ~~The department, acting through the Florida Digital~~  
356 ~~Service and from funds appropriated to the Florida Digital~~  
357 ~~Service,~~ shall:

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

367 (4) The Florida Digital Service shall procure, execute,  
368 and manage all independent verification and validation contracts  
369 for state agencies entered into or amended on or after July 1,  
370 2026.

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

375 (c) ~~Adopt, by rule, standards that support the creation~~

376 and deployment of an application programming interface to  
377 facilitate integration throughout the enterprise.

378 (d) Adopt, by rule, standards necessary to facilitate a  
379 secure ecosystem of data interoperability that is compliant with  
380 the enterprise architecture.

381 (e) Adopt, by rule, standards that facilitate the  
382 deployment of applications or solutions to the existing  
383 enterprise system in a controlled and phased approach.

384 (f) After submission of documented use cases developed in  
385 conjunction with the affected agencies, assist the affected  
386 agencies with the deployment, contingent upon a specific  
387 appropriation therefor, of new interoperable applications and  
388 solutions:

389 1. For the Department of Health, the Agency for Health  
390 Care Administration, the Agency for Persons with Disabilities,  
391 the Department of Education, the Department of Elderly Affairs,  
392 and the Department of Children and Families.

393 2. To support military members, veterans, and their  
394 families.

395 (5)(4) For information technology projects that have a  
396 total project cost of \$10 million or more, the Florida Digital  
397 Service shall:

398 (a) No later than January 1, 2027, establish a  
399 presolicitation planning framework that includes standards,  
400 procedures, forms, and guidance that state agencies must follow

401 before issuing a competitive solicitation ~~provide the Florida~~  
402 ~~Digital Service with written notice of any planned procurement~~  
403 ~~of an information technology project.~~

404 (b) ~~The Florida Digital Service must~~ Participate in the  
405 development of specifications and recommend modifications to any  
406 planned procurement of an information technology project by  
407 state agencies so that the procurement complies with the  
408 enterprise architecture and the presolicitation planning  
409 framework.

410 (c) Certify that a state agency has complied with the  
411 presolicitation planning framework and is ready to initiate the  
412 planned procurement. The Florida Digital Service shall withhold  
413 certification for any procurement that does not comply with the  
414 established presolicitation planning framework.

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

419 (6) ~~(5) The department, acting through the Florida Digital~~  
420 ~~Service,~~ may not retrieve or disclose any data without a shared-  
421 data agreement in place between the Florida Digital Service  
422 ~~department~~ and the enterprise entity that has primary custodial  
423 responsibility of, or data-sharing responsibility for, that  
424 data. The Florida Digital Service shall report to the Governor,  
425 the President of the Senate, and the Speaker of the House of

426 Representatives each January 15 any failure to reach a shared-  
427 data agreement with a state agency that prevents the Florida  
428 Digital Service from fulfilling its duties and responsibilities.

429 (7)(6) The department, acting through the Florida Digital  
430 Service, shall adopt rules:

431 (a) To administer this section and s. 282.00513.

432 (b) To support the creation and deployment of an  
433 application programming interface to facilitate integration  
434 throughout the enterprise.

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

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

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

443 282.00513 Bureau of Enterprise Project Management and  
444 Oversight; duties.—

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

448 (a) Oversee the procurement of information technology  
449 commodities and services by state agencies related to  
450 information technology projects.

451        (b) Oversee the performance of vendors under information  
452        technology contracts for commodities or services entered into by  
453        state agencies related to information technology projects.

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

459        1. Business case development. The business case  
460        development must include the information required by s.  
461        287.0571(4), the expected business outcomes, full life cycle  
462        cost estimates, governance structure, system interoperability  
463        goals, data management plans, scalability approach, evaluation  
464        of cybersecurity and data privacy risks, technology-specific  
465        performance metrics and service levels, and outcome-based  
466        performance indicators.

467        2. Market research, including the use of a request for  
468        information, as defined in s. 287.012, to solicit information  
469        about industry approaches and to view live demonstrations that  
470        may enable the agency's business outcomes. Market research may  
471        not be conducted in a manner that confers an unfair competitive  
472        advantage including, but not limited to, the use of nonpublic  
473        information, preferential access, or conducting evaluative  
474        activities that may favor a specific vendor or group of vendors.

475        3. Planning and scheduling.

476        4. Stakeholder engagement.

477        5. Risk assessment.

478        6. Procurement strategy.

479        7. Project governance definition.

480        8. System design and requirements.

481        9. Change management.

482        10. Monitoring and reporting.

483        11. Postimplementation review and planning.

484        12. Solicitation documentation.

485        (d) Develop a standardized governance structure with

486        clearly defined roles and decisionmaking authority a state

487        agency must use for an information technology project. The

488        governance structure must incorporate approval processes and

489        ongoing interagency engagement throughout the project lifecycle

490        for an information technology project that integrates with one

491        or more state agencies. The governance structure must also

492        include an executive steering committee responsible for:

493        1. Approving the project charter, scope, budget, and

494        schedule.

495        2. Approving changes to project scope, budget, or schedule

496        that exceed the variance thresholds established in the project

497        management and oversight standards adopted pursuant to s.

498        282.0051(1)(c).

499        3. Monitoring project progress and addressing risks.

500        4. Reviewing, evaluating, and determining whether to

501 proceed with or suspend a project phase at major project  
502 milestones.

503 5. Providing oversight of vendor performance.

504 6. Meeting at least quarterly and documenting decisions  
505 and actionable items.

506 7. Notifying the chairs of the legislative appropriations  
507 committees, in a timely manner, of any actual or forecasted  
508 risks that exceed the established variance thresholds or impede  
509 the ability to achieve the project's intended business outcomes  
510 or overall success.

511 (e) Develop forms for state agencies to use to evaluate  
512 and report the performance of information technology vendors in  
513 the delivery of information technology commodities or services  
514 on or before January 1, 2027.

515 (f) Develop trainings specific to information technology  
516 that supplement and enhance the trainings offered by the  
517 department under s. 287.057(15)(c) and (17)(b) and the Chief  
518 Financial Officer under s. 287.057(15)(b). The bureau shall  
519 evaluate such training at least once every 4 years to assess the  
520 effectiveness and update the training curriculum. The training  
521 must be designed to:

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

525 2. Improve the technical understanding of the job

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526 requirements, certifications, and skill sets required by state  
527 agencies recruiting for information technology roles.

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

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

538 282.00514 Duties of state agencies.—

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

543 (2) State agencies must follow the processes and use the  
544 forms developed by the Bureau of Enterprise Project Management  
545 and Oversight to evaluate and report the performance of  
546 information technology vendors in the delivery of information  
547 technology commodities or services.

548 (3) If an information technology project implemented by a  
549 state agency must be connected to or otherwise accommodated by  
550 an information technology system administered by the Department

551 of Financial Services, the Department of Legal Affairs, or the  
552 Department of Agriculture and Consumer Services, the state  
553 agency must consult with the Florida Digital Service and with  
554 such departments regarding the risks and other effects of such  
555 projects on their information technology systems and work  
556 cooperatively with these departments regarding the connections,  
557 interfaces, timing, or accommodations required to implement such  
558 projects.

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

561 (a) Provide the Florida Digital Service with written  
562 notice of any planned procurement of an information technology  
563 project, the proposed scope, the project specifications, and the  
564 project business case at least 90 days before the planned  
565 publication date of the competitive solicitation.

566 (b) Receive certification by the Florida Digital Service  
567 that the project planning complies with the presolicitation  
568 planning framework established by the Florida Digital Service  
569 before any competitive solicitation related to an information  
570 technology project may be issued.

571 (c) Comply with the governance framework established by  
572 the Bureau of Enterprise Project Management and Oversight when  
573 implementing an information technology project.

574 (d) Provide the Florida Digital Service all information  
575 necessary for the Florida Digital Service to fulfill its project

576 oversight responsibilities.

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

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

585 282.00515 Duties of Cabinet agencies.—

586 (1) The Department of Legal Affairs, the Department of  
587 Financial Services, and the Department of Agriculture and  
588 Consumer Services shall adopt the standards established in s.  
589 282.0051(1) (b), (c), and (q) and (7) (d) s. 282.0051(1) (b), (c),  
590 and (r) and (3) (e) or adopt alternative standards based on best  
591 practices and industry standards that allow for open data  
592 interoperability.

593 (3) The Department of Legal Affairs, the Department of  
594 Financial Services, and the Department of Agriculture and  
595 Consumer Services may contract with the Florida Digital Service  
596 ~~department~~ to provide or perform any of the services and  
597 functions described in s. 282.0051.

598 (4)

599 (b) The ~~department~~, acting through the Florida Digital  
600 Service, may not retrieve or disclose any data without a shared-

601 data agreement in place between the Florida Digital Service  
602 ~~department~~ and the Department of Legal Affairs, the Department  
603 of Financial Services, or the Department of Agriculture and  
604 Consumer Services.

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

607 287.057 Procurement of commodities or contractual  
608 services.—

609 (26)

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

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

615 287.0583 Contract requirements for information technology  
616 commodities or services.—A contract for information technology  
617 commodities or services involving the development,  
618 customization, implementation, integration, support or  
619 maintenance of software systems, applications, platforms, or  
620 related services must ensure the following:

621 (1) Any data created, processed, or maintained under the  
622 contract is portable and can be extracted in a machine-readable  
623 format upon request.

624 (2) The vendor will provide, upon request, comprehensive  
625 operational documentation sufficient to allow continued

626 operation and maintenance by the agency or a new vendor.

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

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

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

636 287.0591 Information technology competitive solicitations;  
637 vendor performance disqualification.—

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

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

646 (c) (3) The department may execute a state term contract  
647 for information technology commodities, consultant services, or  
648 staff augmentation contractual services that exceeds the 48-  
649 month requirement if the Secretary of Management Services and  
650 the state chief information officer certify in writing to the

651 Executive Office of the Governor that a longer contract term is  
652 in the best interest of the state.

653 (2) (4) If the department issues a competitive solicitation  
654 for information technology commodities, consultant services, or  
655 staff augmentation contractual services, The Florida Digital  
656 Service within the department shall participate in such  
657 competitive solicitations for information technology  
658 commodities, consultant services, or staff augmentation  
659 contractual services issued by the department, which shall  
660 include reviewing the solicitation specifications to verify  
661 compliance with enterprise architecture and cybersecurity  
662 standards, evaluating vendor responses under established  
663 criteria, answering vendor questions, and providing any other  
664 technical expertise necessary.

665 (3) (a) (5) If an agency issues a request for quote to  
666 purchase information technology commodities, information  
667 technology consultant services, or information technology staff  
668 augmentation contractual services from the state term contract  
669 that meets the CATEGORY TWO threshold amount, but is less than  
670 the CATEGORY FOUR threshold amount:

671 1. For any contract with 25 approved vendors or fewer, the  
672 agency must issue a request for quote to all vendors approved to  
673 provide such commodity or service.

674 2. For any contract with more than 25 approved vendors,  
675 the agency must issue a request for quote to at least 25 of the

676 vendors approved to provide such commodity or contractual  
677 service.

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

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

685 (4) (a) An agency procuring information technology  
686 commodities, information technology consultant services, or  
687 information technology staff augmentation contractual services  
688 that meet or exceed the CATEGORY FOUR threshold amount must  
689 publish on a searchable and publicly available system of record  
690 maintained by the department:

691 1. The written request for vendor pricing and services  
692 information for at least 5 business days before executing a  
693 contract or purchase order.

694 2. The name of the selected vendor.

695 (b) The agency must maintain a copy of the request for  
696 vendor pricing and services information, the identity of the  
697 vendors to whom the request was sent, and any vendor responses  
698 for 2 years after the date of issuance of the purchase order.

699 (5) Agencies issuing a competitive solicitation to  
700 purchase information technology services must consult the

701 repository of vendor performance records developed under s.  
702 287.057(26)(e), and consider any relevant records when  
703 evaluating vendor responses to the competitive solicitation.

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

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

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

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

719 (7)(a)(6) Beginning October 1, 2021, and Each October 1  
720 thereafter, the department shall prequalify firms and  
721 individuals to provide information technology staff augmentation  
722 contractual services and information technology commodities on  
723 state term contract.

724 (b) In order to prequalify a firm or individual for  
725 participation on the state term contract, the department must

726 consider, at a minimum, the capability, experience, and past  
727 performance record of the firm or individual.

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

732 (d) Once a firm or individual has been prequalified to  
733 provide information technology staff augmentation contractual  
734 services or information technology commodities on state term  
735 contract, the firm or individual may respond to requests for  
736 quotes from an agency to provide such services.

737 (8) Notwithstanding s. 287.057, a competitive solicitation  
738 is required for the procurement of information technology, as  
739 defined in s. 282.0041, only when the total contract value  
740 exceeds the CATEGORY FOUR threshold. Except as expressly  
741 provided in this subsection, all other requirements continue to  
742 apply to the procurement of information technology.

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