

By Senator Martin

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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 definitions and defining terms; 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 to include specified information in certain solicitations and contracts; requiring state agencies to follow certain processes and use certain forms in certain circumstances; requiring the Florida Digital Service to provide consultation and work cooperatively with specified entities in certain circumstances; requiring certain state agencies to take certain actions involving specified contracts; requiring state agencies to 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

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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. Present subsections (24) through (38) of section
282.0041, Florida Statutes, are redesignated as subsections (25)
through (39), respectively, a new subsection (24) is added to
that section, and present subsections (27) and (29) of that
section are amended, to read:

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

(24) "Major information technology system" means an
information technology system with a total cost of ownership of
\$10 million or more which directly serves or impacts end users
in the delivery of constituent-facing services or which supports
mission-critical operations essential to a state agency's

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statutory duties or core business functions.

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

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

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

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

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

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

(b) Develop an enterprise architecture that:

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

2. Supports the cloud-first policy as specified in s.

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282.206; and

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

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

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

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

3. Reporting requirements, including requirements designed to alert all defined stakeholders when ~~that~~ an information

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technology project has exceeded acceptable variances and when
specifying procedures for escalating critical issues to
appropriate individuals ~~defined and documented in a project~~
~~plan.~~

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

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

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

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

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

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

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

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project.

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

(f)~~(e)~~ Identify opportunities for standardization and consolidation of information technology services that support interoperability and the cloud-first policy, as specified in s. 282.206, and business functions and operations, including administrative functions such as purchasing, accounting and reporting, cash management, and personnel, and that are common across state agencies. The ~~department, acting through the~~ Florida Digital Service, shall biennially on January 15 ~~1~~ of each odd-numbered ~~even-numbered~~ year provide recommendations for standardization and consolidation to the ~~Executive Office of the~~ Governor, the President of the Senate, and the Speaker of the House of Representatives.

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

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

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

(j)~~(i)~~ Conduct annual assessments of state agencies to determine compliance with all information technology standards

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and guidelines developed and published by the department and provide results of the assessments to ~~the Executive Office of~~ the Governor, the President of the Senate, and the Speaker of the House of Representatives.

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

(k) Recommend ~~other~~ information technology services that should be designed, delivered, and managed as enterprise information technology services. Recommendations must include

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the identification of existing information technology resources associated with the services, if existing services must be transferred as a result of being delivered and managed as enterprise information technology services. The recommendations must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 15 of each odd-numbered year.

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

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

2. When performing the project oversight function specified in subparagraph 1., report at least quarterly to the ~~Executive Office of the~~ Governor, the President of the Senate, and the Speaker of the House of Representatives on any information technology project that the ~~department, acting through the~~ Florida Digital Service, identifies as high-risk due to the project exceeding the established acceptable project variance thresholds ~~ranges defined and documented in the project plan.~~ The report must ~~shall~~ include a risk assessment, including

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fiscal risks, associated with proceeding to the next stage of the project and a recommendation for corrective actions required, including suspension or termination of the project.

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

~~(n)(o)~~ If adherence to standards or policies adopted by or established pursuant to this section causes conflict with federal regulations or requirements imposed on an entity within the enterprise and results in adverse action against an entity or federal funding, work with the entity to provide alternative 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:

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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.

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

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

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

300 (r)~~(s)~~ Ensure that enterprise information technology
301 solutions are capable of utilizing an electronic credential and
302 comply with the enterprise architecture standards.

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

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

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

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

316 (w) Each December 1, compile an enterprise report of major
317 information technology systems approaching end-of-life within 5
318 fiscal years after such December 1, and submit the report to the
319 Governor, the President of the Senate, and the Speaker of the

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House of Representatives. For purposes of this paragraph, the term "end-of-life" means the point at which an information technology resource no longer receives vendor support, uses obsolete technology, cannot be adequately maintained, or fails to meet enterprise architecture standards. The report must:

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

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

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

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

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

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

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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 a~~
353 ~~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 and~~
369 ~~deployment of an application programming interface to facilitate~~
370 ~~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~~

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conjunction with the affected agencies, assist the affected agencies with the deployment, contingent upon a specific appropriation therefor, of new interoperable applications and solutions:

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

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

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

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

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

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

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established presolicitation planning framework.

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

(6) ~~(5)~~ ~~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 enterprise entity that has primary custodial responsibility of, or data-sharing responsibility for, that data. The Florida Digital Service shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives each January 15 any failure to reach a shared-data agreement with a state agency that prevents the Florida Digital Service from fulfilling its duties and responsibilities.

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

(a) To administer this section.

(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:

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436 282.00513 Bureau of Enterprise Project Management and
437 Oversight; duties.—

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

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

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

446 (c) Develop a framework that provides processes,
447 activities, and deliverables state agencies must comply with
448 when planning an information technology project. The processes,
449 activities, and deliverables must include, but are not limited
450 to, all of the following:

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

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

459 3. Planning and scheduling.

460 4. Stakeholder engagement.

461 5. Risk assessment.

462 6. Procurement strategy.

463 7. Project governance definition.

464 8. System design and requirements.

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465 9. Change management.

466 10. Monitoring and reporting.

467 11. Postimplementation review and planning.

468 12. Solicitation documentation.

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

473 (e) Develop trainings specific to information technology
474 which supplement and enhance the trainings offered by the
475 department and the Chief Financial Officer under s.
476 287.057(15) (b). The bureau shall evaluate such training every 2
477 years to assess its effectiveness and update the training
478 curriculum. The training must be designed to:

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

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

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

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

282.00514 Duties of state agencies.—

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

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

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

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

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

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

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

(5) State agencies shall 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 shall certify that 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.

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(4)

(b) The ~~department, acting through the~~ Florida Digital Service~~7~~, 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 shall 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.

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

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

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

590 287.0591 Information technology competitive solicitations
591 and state term contracts; vendor performance ~~disqualification.~~

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

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

600 (c)(3) The department may execute a state term contract for
601 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

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

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

632 (b) The agency shall maintain a copy of the request for
633 quote, the identity of the vendor that was sent the request for
634 quote, and any vendor response to the request for quote for 2
635 years after the date of issuance of the purchase order.

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

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

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

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

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

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

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

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

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

667 (b) Provide for delivery, implementation, and testing of

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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 occur during the implementation of earlier increments.

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

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

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

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

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