

**By Senator Martin**

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30        maintain a specified repository for certain records;  
31        creating s. 287.0583, F.S.; providing contract  
32        requirements for certain information technology  
33        commodities and services; amending s. 287.0591, F.S.;  
34        revising requirements for information technology  
35        competitive solicitations; providing an effective  
36        date.

37  
38        Be It Enacted by the Legislature of the State of Florida:

39  
40        Section 1. Paragraph (b) of subsection (2) of section  
41 20.22, Florida Statutes, is amended to read:

42        20.22 Department of Management Services.—There is created a  
43 Department of Management Services.

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

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

48        Section 2. Present subsections (24) through (38) of section  
49 282.0041, Florida Statutes, are redesignated as subsections (25)  
50 through (39), respectively, a new subsection (24) is added to  
51 that section, and present subsections (27) and (29) of that  
52 section are amended, to read:

53        282.0041 Definitions.—As used in this chapter, the term:

54        (24) “Major information technology system” means an  
55 information technology system with a total cost of ownership of  
56 \$10 million or more which directly serves or impacts end users  
57 in the delivery of constituent-facing services or which supports  
58 mission-critical operations essential to a state agency’s

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59 statutory duties or core business functions.

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

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

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

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

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

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

83 (b) Develop an enterprise architecture that:

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

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

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88 282.206; and

89 3. Addresses how information technology infrastructure may  
90 be modernized to achieve cloud-first objectives.91 (c) Establish project management and oversight standards  
92 with which state agencies shall ~~must~~ comply when implementing  
93 information technology projects. The ~~department, acting through~~  
94 ~~the Florida Digital Service,~~ shall update the ~~provide training~~  
95 ~~opportunities to state agencies to assist in the adoption of the~~  
96 ~~project management and oversight standards at least once every 2~~  
97 ~~years, incorporating best practices from the public and private~~  
98 ~~sectors, as well as any lessons learned by state agencies. When~~  
99 updating the standards, the Florida Digital Service shall  
100 solicit input from all state agencies. To support data-driven  
101 decisionmaking, the standards must include, but are not limited  
102 to:103 1. Performance measurements and metrics that objectively  
104 assess reflect the progress and risks status of an information  
105 technology project through performance baselines and monitoring  
106 mechanisms to determine whether the project is performing as  
107 planned and delivering the intended outcomes based on a defined  
108 and documented project scope, cost, and schedule.109 2. Methodologies for calculating acceptable variances  
110 between the planned and in the projected versus actual scope of  
111 a technology project which provide clear thresholds to guide  
112 corrective actions. Such methodologies must account for project  
113 complexity and scale, schedule, performance, quality, and the or  
114 cost of an information technology project.115 3. Reporting requirements, including requirements designed  
116 to alert all defined stakeholders when that an information

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

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

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

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

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

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

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

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146 project.

147 3. A list of all projects with a performance deficiency,  
148 reported pursuant to s. 287.057(26)(d)1., which has not been  
149 corrected by the vendor as of the end of the reporting period.150 (f) (e) Identify opportunities for standardization and  
151 consolidation of information technology services that support  
152 interoperability and the cloud-first policy, as specified in s.  
153 282.206, and business functions and operations, including  
154 administrative functions such as purchasing, accounting and  
155 reporting, cash management, and personnel, and that are common  
156 across state agencies. The department, acting through the  
157 Florida Digital Service, shall biennially on January 15 of  
158 each odd-numbered even-numbered year provide recommendations for  
159 standardization and consolidation to the Executive Office of the  
160 Governor, the President of the Senate, and the Speaker of the  
161 House of Representatives.162 (g) (f) Establish best practices for the procurement of  
163 information technology products and cloud-computing services in  
164 order to reduce costs, increase the quality of data center  
165 services, or improve government services.166 (h) (g) Develop standards for information technology reports  
167 and updates, including, but not limited to, operational work  
168 plans, project spend plans, and project status reports, for use  
169 by state agencies.170 (i) (h) Upon request, assist state agencies in the  
171 development of information technology-related legislative budget  
172 requests.173 (j) (i) Conduct annual assessments of state agencies to  
174 determine compliance with all information technology standards

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

289       3. Answer vendor questions on information technology-  
290 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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320 House of Representatives. For purposes of this paragraph, the  
321 term "end-of-life" means the point at which an information  
322 technology resource no longer receives vendor support, uses  
323 obsolete technology, cannot be adequately maintained, or fails  
324 to meet enterprise architecture standards. The report must:

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

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

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

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

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

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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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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 Care~~  
383 ~~Administration, the Agency for Persons with Disabilities, the~~  
384 ~~Department of Education, the Department of Elderly Affairs, and~~  
385 ~~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 shall follow~~  
394 ~~before issuing a competitive solicitation must provide the~~  
395 ~~Florida Digital Service with written notice of any planned~~  
396 ~~procurement 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~~

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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  
426 application programming interface to facilitate integration  
427 throughout the enterprise.

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

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

434 Section 4. Section 282.00513, Florida Statutes, is created  
435 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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494       Section 5. Section 282.00514, Florida Statutes, is created  
495 to read:

496       282.00514 Duties of state agencies.—  
497       (1) State agencies shall include the information technology  
498 policy adopted pursuant to s. 282.0051(1)(o) in all  
499 solicitations and contracts for information technology  
500 commodities or services.

501       (2) State agencies shall 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 shall:

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

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

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

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

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

539        282.00515 Duties of Cabinet agencies.—

540        (1) The Department of Legal Affairs, the Department of  
541        Financial Services, and the Department of Agriculture and  
542        Consumer Services shall adopt the standards established in s.  
543        282.0051(1) (b), (c), and (q) and (7) (d) s. 282.0051(1) (b), (c),  
544        and (r) and (3) (e) or adopt alternative standards based on best  
545        practices and industry standards that allow for open data  
546        interoperability.

547        (3) The Department of Legal Affairs, the Department of  
548        Financial Services, and the Department of Agriculture and  
549        Consumer Services may contract with the Florida Digital Service  
550        ~~department~~ to provide or perform any of the services and  
551        functions described in s. 282.0051.

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552 (4)

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

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

561 287.057 Procurement of commodities or contractual  
562 services.—

563 (26)

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

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

569 287.0583 Contract requirements for information technology  
570 commodities or services.—A contract for information technology  
571 commodities or services involving the development,  
572 customization, implementation, integration, support or  
573 maintenance of software systems, applications, platforms, or  
574 related services must ensure the following:

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

578 (2) The vendor will provide, upon request, comprehensive  
579 operational documentation sufficient to allow continued  
580 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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668 workable systems or solutions in discrete increments, each of  
669 which comprises a system or solution that is not dependent on a  
670 subsequent increment in order to perform its principal  
671 functions.

672 (c) Provide an opportunity for subsequent increments of the  
673 acquisition to take advantage of any evolution in technology or  
674 needs that occur during the implementation of earlier  
675 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 shall  
683 must consider, at a minimum, the capability, experience, and  
684 past 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.