

CHAPTER 98-427

Senate Bill No. 20

An act relating to the Department of Management Services; providing for the relief of Dale R. Cowie; providing an appropriation to reimburse him for expenses incurred in the completion of a state contract; providing an effective date.

WHEREAS, in 1991, Fire Control, Inc., a company which designed and installed fire sprinkler systems, installed sprinkler systems in two single-cell housing units at the Jackson Correctional Institution, state project #DC-89013100, and

WHEREAS, because the contract drawings prepared by the architectural firm on the project were erroneous, Fire Control, Inc., incurred an additional expense of \$15,401.77 to properly install the system, for which they were never reimbursed, and

WHEREAS, Fire Control, Inc., was a subcontractor to J. Kinson Cook, Inc., the general contractor for the Jackson Correctional Institution project, and

WHEREAS, J. Kinson Cook's contract was held and administered by the Department of Management Services, formerly the Department of General Services, which was the contracting agency for the project, and

WHEREAS, on September 30, 1993, J. Kinson Cook, Inc., signed a release acknowledging final payment by the state and releasing the Department of Corrections and the Department of Management Services from all claims under the construction contract and any subcontracts for the project, and

WHEREAS, no claim for additional compensation for completion of state project #DC-89013100 was filed against the state by the general contractor, and

WHEREAS, though a payment bond was issued by a surety company to cover payments to subcontractors in the event the general contractor failed to pay all expenses owed, the statute of limitations has expired for suits against a surety company on a bond for a public project and for suits against the contractor, and

WHEREAS, since 1991, Dale R. Cowie, formerly the president of Fire Control, Inc., has attempted to obtain reimbursement for his company's expenses, and

WHEREAS, in September 1995, Fire Control, Inc., ceased operations due to financial difficulties which stemmed in great part from the loss incurred in the performance of this subcontract, and

WHEREAS, Dale R. Cowie seeks reimbursement from the Department of Management Services in the amount of \$15,401.77, NOW, THEREFORE,

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

Section 1. The facts stated in the preamble to this act are found and declared to be true.

Section 2. The comptroller is directed to draw his warrant in favor of Dale R. Cowie in the sum of \$15,401.77 from the General Revenue Fund in the State Treasury and the State Treasurer is directed to pay the same out of such funds in the State Treasury.

Section 3. This act shall take effect July 1, 1998.

Became a law without the Governor's approval April 10, 1998.

Filed in Office Secretary of State April 9, 1998.