

CHAPTER 2020-127

Committee Substitute for Committee Substitute for House Bill No. 441

An act relating to the public procurement of services; amending s. 255.103, F.S.; revising the maximum dollar amount for continuing contracts for construction projects; amending s. 287.055, F.S.; revising the term “continuing contract” to increase certain maximum dollar amounts for professional architectural, engineering, landscape architectural, and surveying and mapping services; providing an effective date.

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

Section 1. Subsection (4) of section 255.103, Florida Statutes, is amended to read:

255.103 Construction management or program management entities.

(4) A governmental entity’s authority under subsections (2) and (3) includes entering into a continuing contract for construction projects, pursuant to the process provided in s. 287.055, in which the estimated construction cost of each individual project under the contract does not exceed ~~\$4~~ \$2 million. For purposes of this subsection, the term “continuing contract” means a contract with a construction management or program management entity for work during a defined period on construction projects described by type which may or may not be identified at the time of entering into the contract.

Section 2. Paragraph (g) of subsection (2) of section 287.055, Florida Statutes, is amended to read:

287.055 Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties.—

(2) DEFINITIONS.—For purposes of this section:

(g) A “continuing contract” is a contract for professional services entered into in accordance with all the procedures of this act between an agency and a firm whereby the firm provides professional services to the agency for projects in which the estimated construction cost of each individual project under the contract does not exceed ~~\$4~~ \$2 million, for study activity if the fee for professional services for each individual study under the contract does not exceed \$500,000 ~~\$200,000~~, or for work of a specified nature as outlined in the contract required by the agency, with the contract being for a fixed term or with no time limitation except that the contract must provide a termination clause. Firms providing professional services under continuing contracts shall not be required to bid against one another.

Section 3. This act shall take effect July 1, 2020.

Approved by the Governor June 29, 2020.

Filed in Office Secretary of State June 29, 2020.