

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/SB 124 — Public-private Partnerships

by Governmental Oversight and Accountability Committee and Senator Evers

The bill implements many recommendations of the statutorily created Partnership for Public Facilities and Infrastructure Act Guidelines Task Force to create a uniform process for public entities to engage in public-private partnerships (P3s).

Specifically, the bill:

- Clarifies that the P3 process must be construed as cumulative and supplemental, or alternative, to any other authority or power vested in the governing body of a county, municipality, special district, or municipal hospital or health care system;
- Revises the list of entities authorized to conduct P3s to include special districts and school districts;
- Provides increased flexibility to the responsible public entity by permitting a responsible public entity to deviate from the provided procurement timeframes if approved by majority vote of the entity's governing body;
- Requires that an unsolicited proposal be submitted concurrently with an initial application fee established by the responsible public entity;
- Authorizes a responsible public entity to request additional funds if the initial fee does not cover the costs to evaluate the unsolicited proposal; also requires the responsible public entity to return the initial application fee if the responsible public entity does not review the unsolicited proposal;
- Provides that if an unsolicited proposal involves architecture, engineering, or landscape engineering, the professional hired to evaluate or create the design criteria packaged must be retained until the entire project is completed; and
- Authorizes the Department of Management Services to accept and maintain copies of comprehensive agreements received from responsible public entities.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 38-0; House 116-1