

Committee on Infrastructure and Security

CS/SB 7068 — Transportation

by Appropriations Committee and Infrastructure and Security Committee

Multi-use Corridors of Regional Economic Significance

The bill creates the Multi-use Corridors of Regional Economic Significance (M-CORES) Program within the Florida Department of Transportation (FDOT), with the purpose of revitalizing rural communities, encouraging job creation, and providing regional connectivity, while leveraging technology, enhancing quality of life and public safety, and protecting the environment and natural resources. The program is designed to advance construction of regional corridors that will accommodate multiple modes of transportation and multiple types of infrastructure.

The bill sets out the intended benefits of the program and identifies three corridors comprising the program:

1. Southwest-Central Florida Connector, extending from Collier County to Polk County;
2. Suncoast Connector, extending from Citrus County to Jefferson County;
3. Northern Turnpike Connector, extending from the north end of the Florida Turnpike northwest to the Suncoast Parkway.

M-CORES projects will be Turnpike projects and are subject to statutory economic and environmental feasibility criteria, as well as additional environmental and other evaluation requirements set out in the bill. Decisions on M-CORES corridor configuration and alignment must be determined in accordance with the FDOT's rules, policies, and procedures. To the greatest extent practical, the projects must be designed to minimize project construction within conservation lands.

FDOT must convene a task force for each corridor comprised of representatives from various stakeholders to evaluate and coordinate corridor analysis, environmental and land use impacts, and other pertinent impacts of the corridors. Each task force must issue a written report by October 1, 2020. To the maximum extent feasible, the bill requires project construction to begin no later than December 31, 2022, with projects open to traffic no later than December 31, 2030.

The bill authorizes corridor project funding, including redirecting to the State Transportation Trust Fund (STTF), on a phased-in schedule, portions of motor vehicle license taxes currently deposited into the General Revenue (GR) Fund. The bill specifies how and when the increased revenues available from the State Transportation Trust Fund are to be distributed. This shift of revenues will be over a multiyear schedule:

- 2019-2020: \$45M to STTF & \$83.9M to GR
- 2020-2021: \$90M to STTF & \$40.12M to GR
- 2021-2022 and thereafter: \$132.5M to STTF

After being fully phased-in by Fiscal Year 2022- 2023, about \$135 million will be annually available to fund M-CORES and other transportation programs. The bill also authorizes annual funding for programs benefiting rural areas:

- \$10 million annually for the Small County Road Assistance Program (SCRAP);
- \$10 million annually for the Small County Outreach Program (SCOP); and
- \$10 million annually for the Transportation Disadvantaged (TD) Program.

In addition, the bill creates and provides three years of funding - \$2.5 million per year - for a construction workforce development program within the FDOT.

Bid Protest Settlements

The bill also provides requirements relating to payments by the FDOT of \$1 million or more to a non-selected responsive bidder through a settlement agreement. The bill requires the FDOT, when it determines that it is in the best interest of the public to resolve a bid protest of the award of certain contracts through a settlement agreement requiring such payment, to:

- Document in the FDOT secretary's written memorandum the specific reasons that such settlement and payment is in the best interest of the state, including:
 - A description of the rights, trademarks, engineering or other design work the FDOT will acquire or retain as a result of the settlement; and
 - The specific appropriation in the existing General Appropriations Act which the FDOT intends to use to provide the payment.
- Provide a written notice that settlement discussions have begun in earnest and a written notice at least five business days, or as soon thereafter as practicable, before the FDOT makes the agreement final.

Finally, the bill prohibits the FDOT from pledging any current or future action by another branch of state government as a condition of any procurement action. The bill provides that any settlement committing the state to spending amounts in excess of current appropriations, to appropriation of funds in a subsequent fiscal year, or to policy changes inconsistent with current state law must be contingent upon legislative appropriation or statutory amendment.

If approved by the Governor, these provisions take effect July 1, 2019.

Vote: Senate 37-1; House 76-36