

1 A bill to be entitled
 2 An act relating to state universities; amending s.
 3 1001.74, F.S.; increasing the monetary threshold for
 4 continuing contracts for professional services; amending
 5 s. 1013.64, F.S.; increasing the monetary threshold for
 6 the utilization of funds for the replacement of minor
 7 facilities; amending s. 1013.78, F.S.; conforming
 8 provisions; amending s. 1013.79, F.S.; revising provisions
 9 relating to the matching and expenditure of funds under a
 10 university facility challenge grant program; providing an
 11 effective date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

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 15 Section 1. Paragraph (a) of subsection (2) of section
 16 1001.74, Florida Statutes, is amended to read:

17 1001.74 Powers and duties of university boards of
 18 trustees.--

19 (2) POWERS AND DUTIES RELATING TO ORGANIZATION AND
 20 OPERATION OF STATE UNIVERSITIES.--

21 (a) Each board of trustees constitutes the contracting
 22 agent of the university. Each university shall comply with the
 23 provisions of s. 287.055 for the procurement of professional
 24 services and may approve and execute all contracts for planning,
 25 construction, and equipment. For the purpose of a university's
 26 contracting authority, a "continuing contract" for professional
 27 services under the provisions of s. 287.055 is one in which
 28 construction costs do not exceed \$2 ~~\$1~~ million or the fee for

29 study activity does not exceed \$200,000 ~~\$100,000~~. Contracts
 30 executed pursuant to this paragraph are subject to the
 31 requirements of s. 1010.62.

32 Section 2. Paragraph (h) of subsection (1) of section
 33 1013.64, Florida Statutes, is amended to read:

34 1013.64 Funds for comprehensive educational plant needs;
 35 construction cost maximums for school district capital
 36 projects.--Allocations from the Public Education Capital Outlay
 37 and Debt Service Trust Fund to the various boards for capital
 38 outlay projects shall be determined as follows:

39 (1)

40 (h) University boards of trustees may utilize funds
 41 appropriated pursuant to this section for replacement of minor
 42 facilities provided that such projects do not exceed \$2 ~~\$1~~
 43 million in cost or 10,000 gross square feet in size. Minor
 44 facilities may not be replaced from funds provided pursuant to
 45 this section unless the board determines that the cost of repair
 46 or renovation is greater than or equal to the cost of
 47 replacement.

48 Section 3. Subsection (2) of section 1013.78, Florida
 49 Statutes, is amended to read:

50 1013.78 Approval required for certain university-related
 51 facility acquisitions.--

52 (2) Legislative approval shall not be required for
 53 renovations, remodeling, replacement of existing facilities, or
 54 construction of minor facilities ~~projects~~ as defined in s.
 55 1013.64, except to the extent required pursuant to s. 1010.62.

56 Section 4. Subsection (5) of section 1013.79, Florida
 57 Statutes, is amended to read:

58 1013.79 University Facility Enhancement Challenge Grant
 59 Program.--

60 (5) A project may not be initiated unless all private
 61 funds for planning, construction, and equipping the facility
 62 have been received and deposited in the separate university
 63 program account designated for this purpose. However, these
 64 requirements shall not preclude the university from expending
 65 funds from private sources to develop a prospectus, including
 66 preliminary architectural schematics or models, for use in its
 67 efforts to raise private funds for a facility, for site
 68 preparation, or for initial planning and construction. Private
 69 funds expended for planning, constructing, and equipping a
 70 facility are eligible for state matching funds but do not create
 71 a financial obligation of the state ~~and the state's share for~~
 72 ~~the minimum amount of funds needed to begin the project has been~~
 73 ~~appropriated by the Legislature.~~ The Board of Governors shall
 74 establish a method for validating the receipt and deposit of
 75 private matching funds. The Legislature may appropriate the
 76 state's matching funds in one or more fiscal years for the
 77 planning, construction, and equipping of an eligible facility.
 78 ~~However, these requirements shall not preclude the university~~
 79 ~~from expending available funds from private sources to develop a~~
 80 ~~prospectus, including preliminary architectural schematics or~~
 81 ~~models, for use in its efforts to raise private funds for a~~
 82 ~~facility. Additionally, any private sources of funds expended~~

CS/CS/HB 499

2009

83 ~~for this purpose are eligible for state matching funds should~~
84 ~~the project materialize as provided for in this section.~~

85 Section 5. This act shall take effect upon becoming law.