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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/23/2012	.	
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The Committee on Rules (Alexander) recommended the following:

Senate Amendment (with title amendment)

Delete lines 94 - 101

and insert:

Section 2. Subsection (4) of section 287.0571, Florida Statutes, is amended to read:

287.0571 Business case to outsource; applicability.-

(4) An agency must ~~shall~~ complete a business case for any outsourcing project that has an expected cost in excess of \$10 million within a single fiscal year. The business case shall be submitted pursuant to s. 216.023. The business case shall be prepared and made publicly available on the agency's website before the issuance ~~as part~~ of the solicitation but is not



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14 subject to challenge and must shall include ~~the following~~:

15 (a) A detailed description of the service or activity for
16 which the outsourcing is proposed.

17 (b) A description and analysis of the state agency's
18 current performance, based on existing performance metrics if
19 the state agency is currently performing the service or
20 activity.

21 (c) The goals desired to be achieved through the proposed
22 outsourcing and the rationale for such goals.

23 (d) A citation to the existing or proposed legal authority
24 for outsourcing the service or activity.

25 (e) A description of available options for achieving the
26 goals. If state employees are currently performing the service
27 or activity, at least one option involving maintaining state
28 provision of the service or activity must ~~shall~~ be included.

29 (f) An analysis of the advantages and disadvantages of each
30 option, including, at a minimum, potential performance
31 improvements and risks.

32 (g) A description of the current market for the contractual
33 services that are under consideration for outsourcing.

34 (h) A cost-benefit analysis documenting the direct and
35 indirect specific baseline costs, savings, and qualitative and
36 quantitative benefits involved in or resulting from the
37 implementation of the recommended option or options. Such
38 analysis must specify the schedule that, at a minimum, must be
39 adhered to in order to achieve the estimated savings. All
40 elements of cost must be clearly identified in the cost-benefit
41 analysis, described in the business case, and supported by
42 applicable records and reports. The state agency head shall



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43 attest that, based on the data and information underlying the
44 business case, to the best of his or her knowledge, all
45 projected costs, savings, and benefits are valid and achievable.
46 As used in this section, the term "cost" means the reasonable,
47 relevant, and verifiable cost, which may include, but is not
48 limited to, elements such as personnel, materials and supplies,
49 services, equipment, capital depreciation, rent, maintenance and
50 repairs, utilities, insurance, personnel travel, overhead, and
51 interim and final payments. The appropriate elements ~~shall~~
52 depend on the nature of the specific initiative. As used in this
53 paragraph, the term "savings" means the difference between the
54 direct and indirect actual annual baseline costs compared to the
55 projected annual cost for the contracted functions or
56 responsibilities in any succeeding state fiscal year during the
57 term of the contract.

58 (i) A description of differences among current state agency
59 policies and processes and, as appropriate, a discussion of
60 options for or a plan to standardize, consolidate, or revise
61 current policies and processes, if any, to reduce the
62 customization of any proposed solution that would otherwise be
63 required.

64 (j) A description of the specific performance standards
65 that ~~must~~, at a minimum, must be met to ensure adequate
66 performance.

67 (k) The projected timeframe for key events from the
68 beginning of the procurement process through the expiration of a
69 contract.

70 (l) A plan to ensure compliance with the public records
71 law.



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72 (m) A specific and feasible contingency plan addressing
73 contractor nonperformance and a description of the tasks
74 involved in and costs required for its implementation.

75 (n) A state agency's transition plan for addressing changes
76 in the number of agency personnel, affected business processes,
77 employee transition issues, and communication with affected
78 stakeholders, such as agency clients and the public. The
79 transition plan must contain a reemployment and retraining
80 assistance plan for employees who are not retained by the state
81 agency or employed by the contractor.

82 (o) A plan for ensuring access by persons with disabilities
83 in compliance with applicable state and federal law.

84
85 ===== T I T L E A M E N D M E N T =====

86 And the title is amended as follows:

87 Delete lines 9 - 13

88 and insert:

89 executed; amending s. 287.0571, F.S.; requiring an
90 agency to publicly publish the business case prepared
91 for an outsourcing project on the agency's website;