

By Senator Albritton

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1 A bill to be entitled
2 An act relating to construction contracts; amending s.
3 337.14, F.S.; exempting an airport from the
4 requirement that the entity performing design and
5 construction engineering and inspection services for a
6 certain project not be the same entity; providing an
7 effective date.

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

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11 Section 1. Subsection (7) of section 337.14, Florida
12 Statutes, is amended to read:

13 337.14 Application for qualification; certificate of
14 qualification; restrictions; request for hearing.—

15 (7) A "contractor" as defined in s. 337.165(1)(d) or his or
16 her "affiliate" as defined in s. 337.165(1)(a) qualified with
17 the department under this section may not also qualify under s.
18 287.055 or s. 337.105 to provide testing services, construction,
19 engineering, and inspection services to the department. This
20 limitation does not apply to any design-build prequalification
21 under s. 337.11(7) and does not apply when the department
22 otherwise determines by written order entered at least 30 days
23 before advertisement that the limitation is not in the best
24 interests of the public with respect to a particular contract
25 for testing services, construction, engineering, and inspection
26 services. This subsection does not authorize a contractor to
27 provide testing services, or provide construction, engineering,
28 and inspection services, to the department in connection with a
29 construction contract under which the contractor is performing

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30 any work. Notwithstanding any other provision of law to the
31 contrary, for a project that is wholly or partially funded by
32 the department and administered by a local governmental entity,
33 except for a seaport listed in s. 311.09 or an airport as
34 defined in s. 332.004, the entity performing design and
35 construction engineering and inspection services may not be the
36 same entity.

37 Section 2. This act shall take effect upon becoming a law.