

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Industries & Professional
2 Activities Subcommittee

3 Representative Griffitts offered the following:

4
5 **Amendment (with title amendment)**

6 Remove lines 41-58 and insert:

7 (1) As used in this section, the term:

8 (a) "Awarding body" has the same meaning as in s.

9 287.05701(1).

10 (b) "Concurrent delay" means two or more unrelated delays
11 by the awarding body or its agents or employees, or any person
12 acting on its behalf, and the contractor or its subcontractors
13 or suppliers that happen at the same time or overlap in time,
14 each of which on its own would have delayed the contractor's
15 performance of a public construction contract.

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16 (2) A provision contained in a public construction
17 contract which purports to waive, release, deny, restrict, or
18 extinguish a contractor's right to recover his or her costs,
19 damages, or equitable adjustments, or to obtain a time
20 extension, for delays in performing such contract, either on his
21 or her own behalf or on behalf of a subcontractor or supplier,
22 is void and unenforceable as against public policy to the extent
23 the awarding body caused the delay through its own acts or
24 omissions or by the acts or omissions of its agents or
25 employees, or any person acting on its behalf.

26 (3) A provision contained in a public construction
27 contract which purports to waive, release, deny, restrict, or
28 extinguish a contractor's right to a time extension for a
29 concurrent delay is void and unenforceable as against public
30 policy to the extent the awarding body contributed to the delay
31 through its own acts or omissions or by the acts or omissions of
32 its agents or employees, or any person acting on its behalf.

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35 **T I T L E A M E N D M E N T**

36 Remove lines 3-6 and insert:
37 creating s. 287.05702, F.S.; defining the terms
38 "awarding body" and "concurrent delay"; providing that
39 provisions contained in public construction contracts

COMMITTEE/SUBCOMMITTEE AMENDMENT

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40 | which purport to waive, release, deny, restrict, or
41 | extinguish certain rights of a