

Bill No. CS for CS for CS for SB 360

Barcode 115632

CHAMBER ACTION

Senate

House

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Senator Bennett moved the following amendment:

Senate Amendment (with title amendment)

On page 93, line 3, through page 94, line 31, delete those lines

and insert:

Section 17. Effective July 1, 2007, section 337.107, Florida Statutes, as amended by this act is amended to read:

337.107 Contracts for right-of-way services.--The department may enter into contracts pursuant to s. 287.055 for right-of-way services on transportation corridors and transportation facilities, ~~or the department may include right-of-way services as part of design-build contracts awarded under s. 337.11.~~ Right-of-way services include negotiation and acquisition services, appraisal services, demolition and removal of improvements, and asbestos-abatement services.

Section 18. Paragraph (a) of subsection (7) of section 337.11, Florida Statutes, is amended to read:

337.11 Contracting authority of department; bids;

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1 emergency repairs, supplemental agreements, and change orders;
2 combined design and construction contracts; progress payments;
3 records; requirements of vehicle registration.--

4 (7)(a) If the head of the department determines that
5 it is in the best interests of the public, the department may
6 combine the right-of-way services and design and construction
7 phases of any a building, a major bridge, a limited access
8 facility, or a rail corridor project into a single contract,
9 except for a resurfacing or minor bridge project, the
10 right-of-way services and design and construction phases of
11 which may be combined under s. 337.025. Such contract is
12 referred to as a design-build contract. Design-build contracts
13 may be advertised and awarded notwithstanding the requirements
14 of paragraph (3)(c). However, construction activities may not
15 begin on any portion of such projects until title to the
16 necessary rights-of-way and easements for the construction of
17 that portion of the project has vested in the state or a local
18 governmental entity and all railroad crossing and utility
19 agreements have been executed. Title to rights-of-way vests in
20 the state when the title has been dedicated to the public or
21 acquired by prescription.

22 Section 19. Effective July 1, 2007, paragraph (a) of
23 subsection (7) of section 337.11, Florida Statutes, as amended
24 by this act, is amended to read:

25 337.11 Contracting authority of department; bids;
26 emergency repairs, supplemental agreements, and change orders;
27 combined design and construction contracts; progress payments;
28 records; requirements of vehicle registration.--

29 (7)(a) If the head of the department determines that
30 it is in the best interests of the public, the department may
31 combine the ~~right-of-way services and~~ design and construction

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1 phases of a building, a major bridge, a limited access
2 facility, or a rail corridor any project into a single
3 contract, ~~except for a resurfacing or minor bridge project,~~
4 ~~the right-of-way services and design and construction phase of~~
5 ~~which may be combined under s. 337.025.~~ Such contract is
6 referred to as a design-build contract. Design-build contracts
7 may be advertised and awarded notwithstanding the requirements
8 of paragraph (3)(c). However, construction activities may not
9 begin on any portion of such projects for which the
10 department has not yet obtained title to the necessary
11 rights-of-way and easements for the construction of that
12 portion of the project has vested in the state or a local
13 governmental entity and all railroad crossing and utility
14 agreements have been executed. Title to rights-of-way shall be
15 deemed to have vested in the state when the title has been
16 dedicated to the public or acquired by prescription.

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19 ===== T I T L E A M E N D M E N T =====

20 And the title is amended as follows:

21 On page 5, lines 6-18, delete those lines

22

23 and insert:

24 337.107, F.S., effective July 1, 2007;
25 eliminating the inclusion of right-of-way
26 services and as part of design-build contracts
27 under certain circumstances; amending s.
28 337.11, F.S.; allowing the Department of
29 Transportation to include right-of-way services
30 and design and construction into a single
31 contract; providing an exception; delaying

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1 construction activities in certain
2 circumstances; amending s. 337.11, F.S.,
3 effective July 1, 2007; deleting language
4 allowing right-of-way services and design and
5 construction phases to be combined for certain
6 projects; deleting an exception; amending s.

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