

Bill No. SB 400

Barcode 720782

Proposed Committee Substitute by the Committee on General
Government Appropriations

1 A bill to be entitled
2 An act relating to the procurement of
3 commodities or contractual services; amending
4 s. 287.057, F.S.; requiring that the Department
5 of Management Services compensate a provider
6 for on-line procurement pursuant to
7 appropriation after satisfying ongoing costs;
8 requiring that the provider report transaction
9 data to the department; requiring that fees due
10 to the state on a transactional basis or as a
11 fixed percentage of savings generated be
12 deposited into the State Treasury; requiring
13 that a vendor pay interest on the balance of
14 fees remaining due and unpaid; providing an
15 effective date.

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

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19 Section 1. Paragraph (c) of subsection (23) of section
20 287.057, Florida Statutes, is amended to read:

21 287.057 Procurement of commodities or contractual
22 services.--

23 (23)

24 (c)1. The department may impose and shall collect all
25 fees for the use of the on-line procurement systems. Such ~~The~~
26 fees may be imposed on an individual transaction basis or as a
27 fixed percentage of the cost savings generated. At a minimum,
28 the fees must be set in an amount sufficient to cover the
29 projected costs of such services, including administrative and
30 project service costs in accordance with the policies of the
31 department. All fees and surcharges collected under this

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1 paragraph shall be deposited in the Grants and Donations Trust
2 Fund as provided by law.

3 2. If the department contracts with a provider for
4 on-line procurement, the department, pursuant to
5 appropriation, shall compensate the provider from such fees
6 after the department has satisfied all ongoing costs. The
7 provider shall report transaction data to the department each
8 month so that the department may determine the amount due and
9 payable to the department from each vendor.

10 3. All fees that are due and payable to the state on a
11 transactional basis or as a fixed percentage of the cost
12 savings generated are subject to s. 215.31 and must be
13 remitted within 40 days after receipt of payment for which
14 such fees are due. For any fees that are not remitted within
15 40 days, the vendor shall pay interest at the rate established
16 under s. 55.03(1) on the unpaid balance from the expiration of
17 the 40-day period until the fees are remitted. For the
18 purposes of compensating the provider, the department may
19 authorize the provider to collect and retain a portion of the
20 fees. The providers may withhold the portion retained from the
21 amount of fees to be remitted to the department. The
22 department may negotiate the retainage as a percentage of such
23 fees charged to users, as a flat amount, or as any other
24 method the department deems feasible. All fees and surcharges
25 collected under this paragraph shall be deposited in the
26 Grants and Donation Trust Fund as provided by law.

27 Section 2. This act shall take effect July 1, 2005.

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