



Broward County

Legislation Details (With Text)

File #: 20-2150 **Version:** 1

Status: Agenda Ready

In control: FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

On agenda: 12/8/2020 **Final action:** 12/8/2020

Title: MOTION TO WAIVE Broward County Procurement Code, Section 21.85.f.1, which limits Consultants' Competitive Negotiation Act continuing contract amounts for (1) projects' construction costs, and (2) study activity fees, for any solicitations that are opened after Board approval date of this Motion.

Sponsors:

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Attachments:

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: George Tablack

Department: Finance and Administrative Services **Division:** Purchasing

Information

Requested Action

MOTION TO WAIVE Broward County Procurement Code, Section 21.85.f.1, which limits Consultants' Competitive Negotiation Act continuing contract amounts for (1) projects' construction costs, and (2) study activity fees, for any solicitations that are opened after Board approval date of this Motion.

Why Action is Necessary

Broward County Procurement Code, Section 21.6.c requires approval by the Board to waive any provisions of the Procurement Code.

What Action Accomplishes

Eliminates the continuing contract limits listed in Section 21.85.f.1 of the Broward County Procurement Code to allow use of higher continuing contract limits referenced in Section 287.055, Florida Statutes, Consultants' Competitive Negotiation Act.

Is this Action Goal Related

No

Previous Action Taken

None.

Summary Explanation/Background

THE PURCHASING DIVISION RECOMMENDS APPROVAL OF THE ABOVE MOTION.

Broward County Procurement Code, Section 21.85.f.1, limits continuing contract amounts to (1) projects in which construction costs do not exceed \$2 million, and (2) study activities when the fees for such professional services do not exceed \$200,000. These limits were based on the then existing continuing contract limitations set forth in Section 287.055, Florida Statutes, Consultants' Competitive Negotiation Act. These limitations have been in effect since 2009.

However, in the 2020 Florida legislative session, the maximum limits for continuing contracts covered by the CCNA was increased by House Bill 441 (HB 441) from an estimated project construction cost of \$2 million to \$4 million. HB 441 also increased the maximum limit for procuring study activities from \$200,000 per study to \$500,000. HB 441 was approved by the Florida Governor on June 29, 2020, and became effective on July 1, 2020, per Ch. 20-127, Laws of Fla. (2020).

Waiving Section 21.85.f.1 of the Procurement Code for any solicitations that are opened after Board approval date of this Motion allows for the County to follow the most current CCNA limits under state law.

Source of Additional Information

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Fiscal Impact

Fiscal Impact/Cost Summary

There is no fiscal impact.