

Partnership for Public Facilities and Infrastructure Act Guidelines Task Force Meeting

Meeting Date: Jan. 31, 2014
Betty Easley Conference Center
4075 Esplanade Way, Room 148
Tallahassee, FL 32399-0950

Agenda

- I. Introductions and Adoption of Minutes
- II. Presentation and discussion of preliminary concepts for task force recommendations relating to the eight items required for task force consideration
- III. Discussion and Vote on Proposed Public Records Exemption for Unsolicited Proposals
- IV. Other Business and Public Testimony
- V. Adjourn

Call to Order

Meeting called to order and welcome at 9:07 a.m.

Members present:

Craig Nichols, Chair
Frank Attkisson, Vice Chair
George Burgess
Sonya Little (attending telephonically)
Michael Oelnick
John (Jay) Smith
Andy Tuck (attending telephonically)

Members absent:

None

Business

I. Introductions and Adoption of Minutes

Motion for Approval of Meeting Minutes from 1-9-14 task force meeting at 9:09 a.m.

Vote: All in favor, 0 opposed, 0 abstained

Resolved: Motion carried

II. Presentation and discussion of preliminary concepts for task force recommendations relating to the eight items required for task force consideration

Introduction of Meredith Stanfield, professional staff to the task force, for facilitation of discussion at 9:11 a.m.

*Note: The tracking document (item 4 of the meeting packet) was used to facilitate task force discussion during this portion of the meeting. This document can be accessed [here](#).

Discussion of development of model guidelines for use by responsible public entities (RPE) at 9:12 a.m.

Discussion of development of a support entity to provide guidance to RPE and encourage the use of public-private partnerships at the local level at 9:17 a.m.

Discussion of development of best practices guidance for use by RPE at 9:30 a.m.

Discussion of development of model comprehensive agreements and interim agreements at 9:35 a.m.

Discussion of ensuring adequate level of competition in public-private partnership process, in particular when unsolicited proposals are involved at 9:45 a.m.

Discussion of information released when seeking competing proposals and requests for additional or enhanced information at 9:55 a.m.

Discussion of exemption from public records requirements for unsolicited proposals at 10:00 a.m.

- The discussion included comments on HB 541 and HB 543 from Vikki Shirley, General Counsel for the State University System of Florida Board of Governors and the Chancellor
- See item III. Discussion and Vote on Proposed Public Records Exemption for Unsolicited Proposals below for full discussion and vote on proposed public records exemption for unsolicited proposals

Meeting Break at 10:20 a.m.

Discussion of availability of representatives of the RPE to meet with private entities considering a proposal at 10:35 a.m.

Discussion of criteria for choosing among competing proposals at 10:39 a.m.

Discussion of time limits on RPE review of submitted proposals at 10:41 a.m.

Discussion of accelerated selection and review and documentation timelines for proposals involving a qualifying project prioritized by the RPE at 10:52 a.m.

Expanded discussion of time limits on RPE review of submitted proposals at 10:55 a.m.

Discussion of applicability of mandatory procurement requirements relating to public-private partnerships at 10:57 a.m.

- Discussion tabled until next meeting

Discussion to clarify the intent of ss. 287.05712(4) and (6), F.S., relating to project procurement and qualification and process at 11:07 a.m.

- Discussion tabled until next meeting

Discussion of guidance regarding application fee for the submission of an unsolicited proposal and RPE use of qualified professionals to conduct an independent analysis of a proposal at 11:15 a.m.

Discussion to clarify the intent of s. 287.05712(4)(c), F.S. relating to an RPE that is a school board at 11:25 a.m.

III. Discussion and Vote on Proposed Public Records Exemption for Unsolicited Proposals

Comments on HB 541 and HB 543 from Vikki Shirley, General Counsel for the State University System of Florida Board of Governors and the Chancellor at 10:00 a.m.

- Ms. Shirley provided an update on potential amendments to HB 543 to satisfy recommendations from the First Amendment Foundation. HB 543 would be amended as such: reduce the time information provided in a proposal is shaded from public record from one year to 90 days. All confidential and proprietary information would be permanently exempt from public record.

Motion by Mike Olenick for the task force to vote to formally support HB 541 at 10:10 a.m.

- Second by Jay Smith
- House Bill 541 would authorize the State University System to engage in public-private partnerships
- Vote: All in favor, 0 opposed, 0 abstained
- Resolved: Motion carried

Motion by Mike Olenick for the task force to vote to formally support HB 541 at 10:13 a.m.

- Second by Frank Attkisson
- House Bill 543 would provide an exemption from public records requirements for unsolicited proposals received by the State University System
- Vote: All in favor, 0 opposed, 0 abstained
- Resolved: Motion carried

IV. Other Business and Public Testimony

Discussion of next meeting and member availability at 11:27 a.m.

Public Comment at 11:32 a.m.

- No public comment was provided.

V. Adjourn

Adjournment at 11:34 a.m.