

*November 13, 2024*  
*Revised May 14, 2025*

# **Greater Naples Fire Rescue District Staff Procurement Handbook**

# Contents

Article 1.	Intent and Purpose .....	3
Article 2.	Ethics in Public Contracting .....	4
Article 3.	Competitive Procurement Thresholds.....	4
3.1	Approval for Purchases Over \$10,000 .....	4
Article 4.	The Solicitation Process .....	4
4.1	All Goods or Services within the District’s Category 3 Threshold.....	4
4.2	Construction Services within the District’s Category 3 Threshold .....	5
4.3	Professional Services (District Category 4) .....	5
4.4	Continuing Contracts.....	5
Article 5.	Notice and Advertising.....	6
Article 6.	Exceptions to Competitive Procurement .....	7
Article 7.	Public-Private Partnerships.....	7
Article 8.	The Solicitation Process .....	8
8.1	Steps to Initiate a Formal Competitive Procurement.....	9
8.2	Information Provided in a Solicitation .....	9
8.3	Changes to Solicitations and District Rights .....	10
8.4	Respondent Communications with the District.....	10
Article 9.	Process for Award .....	10
9.1	Bid Opening .....	10
9.2	Request for Qualifications and Requests for Proposals .....	10
Article 10.	Protest of District Decisions .....	12
Article 11.	The Contract with the Selected Respondent.....	12
11.2	Issues Specific to Professional Services.....	13
11.3	Contract Provisions Addressed in Florida Statutes .....	13
Article 12.	Payment of Invoices .....	13
12.1	Staff Submittal of Invoices.....	14
12.2	Local Government Prompt Payment Act.....	14
12.3	Retainage in Construction Contracts .....	14
Article 13.	Forms.....	14

## Article 1. Intent and Purpose

The purpose of this Procurement Handbook is to provide District staff with processes and procedures to procure goods and services for the District. Staff should refer to and become familiar with the District’s Procurement Policy adopted by the District Board of Fire Commissioners and should use this handbook as a reference for how to carry out the policy’s direction. The Fire Chief may authorize updates to this handbook from time to time.

The District follows the statutes referenced in this handbook as they may be amended from time to time. This handbook provides the requirements in the statutes in effect at the time this document is published. Readers should check each statutory reference for updates.

Below is a list of key statutes containing requirements related to procurement:

Florida Statute	Title
<b>112</b>	<b>PUBLIC OFFICERS AND EMPLOYEES</b>
112.061 PART III	Per diem and travel Code of Ethics for Public Officers and Employees
<b>119</b>	<b>PUBLIC RECORDS</b>
119.0701 119.071	Contracts; public records General exemptions from inspection or copying of public records.
<b>189</b>	<b>UNIFORM SPECIAL DISTRICT ACCOUNTABILITY ACT (Title VIII Planning and Development)</b>
189.053	Purchases from purchasing agreements of special districts, municipalities, or counties. (Piggyback)
<b>218</b>	<b>FINANCIAL MATTERS PERTAINING TO POLITICAL SUBDIVISIONS (Title XIV Taxation and Finance)</b>
PART III PART VII	LOCAL FINANCIAL MANAGEMENT AND REPORTING LOCAL GOVERNMENT PROMPT PAYMENT ACT 218.70-218.80
<b>255</b>	<b>PUBLIC PROPERTY AND PUBLICLY OWNED BUILDINGS (Title XVIII Public Lands and Property)</b>
255.05 255.0518 255.0525 255.103 255.20	Bond of contractor constructing public buildings (or public work) Public bids; bid opening Advertising for competitive bids or proposals Construction management or program management entities Local bids and contracts for public construction works. . .
<b>286</b>	<b>PUBLIC BUSINESS: MISCELLANEOUS PROVISIONS</b>
286.0105 286.011 286.0113	Notices of meetings and hearings must advise that a record is required to appeal.— Public meetings and records; public inspection; criminal and civil penalties.— General exemptions from public meetings
<b>287*</b>	<b>PROCUREMENT OF PERSONAL PROPERTY AND SERVICES (Title XIX Public Business)</b>

<b>Florida Statute</b>	<b>Title</b>
287.055 287.05701 287.132-133 287.135	CCNA – Consultants Competitive Negotiation Act Responsible Vendor Determination Public Entity Crimes Scrutinized Companies
<b>448</b>	<b>GENERAL LABOR REGULATIONS</b>
448.095	E-Verify
<b>725</b>	<b>UNENFORCEABLE CONTRACTS (Title XLI Statute of Frauds . . . )</b>
725.06 725.08	Construction contracts; limitation on indemnification Design professional contracts; limitation on indemnification

\* The District is specifically required to comply with Sections 287.055, 287.05701, 287.132, 287.133 and 287.135, Florida Statutes. Other parts of Chapter 287 apply only to state agencies. However, where noted in this handbook, the District has elected to follow certain other provisions in Chapter 287 as required for state agencies.

## **Article 2. Ethics in Public Contracting**

All employees who participate in preparing the content of any specification or procurement standard, or who participate in any advisory capacity in the procurement of contractual services or commodities must comply with the Code of Ethics for Public Officers and Employees contained in Chapter 112, Florida Statutes as well as all District policies that are adopted from time to time.

Section 112.3148, Florida Statutes contains requirements concerning gifts from vendors doing business with the District, requires reporting to the Commission on Ethics, and imposes penalties for noncompliance.

## **Article 3. Competitive Procurement Thresholds**

The District’s Procurement Policy adopted by the Board of Fire Commissioners establishes thresholds for procurement by formal competition and by informal competition by obtaining quotes.

### **3.1 Approval for Purchases Over \$10,000**

Any purchase for goods and/or services above \$10,000 must be approved by the Fire Chief.

## **Article 4. The Solicitation Process**

The following requirements apply to the stated types of District procurements.

### **4.1 All Goods or Services within the District’s Category 3 Threshold**

The District will make all competitive solicitations available simultaneously to all vendors, will include the time and date for the receipt of bids, proposals, or replies and of the public opening, and will include all contractual terms and conditions applicable to the procurement, including the criteria to be used in determining acceptability and relative merit of the bid, proposal, or reply.<sup>1</sup> Solicitation contents are further described in Article 8 of this handbook. The District, at its option, may conduct a conference or written question and answer period to assist the vendor's full understanding of the solicitation requirements before the due date for receipt of bids, proposals, or replies.

## **Bid Bonds or Bid Security**

At the District's option, the District may require bidders to provide a bid bond or other security as a guarantee that bidder will perform the work for the amount provided in the bid. The amount of the bid bond will be forfeited to the District if the District accepts the bid and the Bidder fails to execute a contract accompanied by the required bonds and certificates of insurance coverage and endorsements.

### **4.2 Construction Services within the District's Category 3 Threshold**

#### **District threshold exceeds Florida statutory requirement**

The District's Procurement Policy requirement to competitively procure all items within its Category 3 procurement threshold meets and is more stringent than section 255.20, Florida Statutes which requires competitive award to an appropriately licensed contractor for public construction projects estimated to cost more than \$300,000.

### **4.3 Professional Services (District Category 4)**

The District is governed by and follows section 287.055, Florida Statutes, the Consultants Competitive Negotiation Act (CCNA), as it may be amended from time to time for acquiring the services of architects, professional engineers, landscape architects, or registered surveyors and mappers as well as other professional services as listed in section 3.4 of the District's Procurement Policy. Certain other professional services listed in section 287.057(3)(e), Florida Statutes are exempt from competitive procurement.

### **4.4 Continuing Contracts**

The District may request proposals from firms to provide a particular type of professional service on a continuing basis subject to the cost limits described in section 287.055(2)(g), Florida Statutes. The District may qualify a list of firms to provide those identified services and may enter into a contract with more than one of them to do so, subject to individual work

---

<sup>1</sup> This process is described in section 287.057, Florida Statutes which governs state agencies and not special districts. Nevertheless, the District follows the processes described in it.

orders for specified tasks. The District will select qualified firms using the process described in subsections 287.055(3), (4), and (5), Florida Statutes.

As of the date of this document, section 287.055(2)(g), Florida Statutes provides the following definition:

1. A **“continuing contract”** is a contract for any of the following:
  - a. Professional services entered into in accordance with all the procedures of this act between an agency and a firm whereby the firm provides professional services to the agency for projects in which the estimated construction cost of each individual project under the contract does not exceed \$7.5 million., Beginning July 1, 2025, and each July 1 thereafter, the department shall adjust the maximum amount allowed on the preceding June 30 for each individual project in a continuing contract by using the change in the June-to-June Consumer Price Index for All Urban Consumers issued by the Bureau of Labor Statistics of the United States Department of Labor. The department shall publish the adjusted amount on its website;
  - b. Study activity if the fee for professional services for each individual study under the contract does not exceed \$500,000; or
  - c. Work of a specified nature as outlined in the contract required by the agency, with the contract being for a fixed term or with no time limitation except that the contract must provide a termination clause.
2. Firms providing professional services under continuing contracts may not be required to bid against one another.

## **Article 5. Notice and Advertising**

**All goods and services.** The District will publicly announce on its website all solicitations for Category 3 competitive procurements at least 21 days before the opening of bids, proposals or replies except that construction projects are subject to the requirements below.

**Construction projects.** The District will advertise solicitations for competitive bids, proposals, or replies in newspaper of general circulation in the county where the project is located:

1. for construction projects >\$200,000 – at least 21 days before bid opening and at least 5 days before any prebid conference.
2. for construction projects >\$500,000 – at least 30 days before bid opening and at least 5 days before any prebid conference.<sup>2</sup>

**Professional Services as defined in CCNA.** As required by section 287.055, Florida Statutes, the District will publicly announce, in a uniform and consistent manner, each occasion when professional services must be purchased for projects exceeding the statutory thresholds provided in section 287.017, Florida Statutes. The legislature may change those dollar thresholds from time to time. As of the date of this document the thresholds are: (1) construction projects estimated to be more than \$325,000 and (2) planning or study activities estimated to be more than \$35,000. When undertaking a new procurement, staff should check

---

<sup>2</sup> The District follows this process as provided in section 255.0525(2), Florida Statutes as amended from time to time.

the current statute to determine whether the threshold amounts have changed. The notice will include a general description of the project and how interested consultants may apply for consideration.<sup>3</sup>

## **Article 6. Exceptions to Competitive Procurement**

The District's Procurement Policy sets forth the following exceptions to competitive procurement and the requirements for implementing them.

- Emergencies
- Repair or maintenance of an existing public facility
- Exempt services and commodities
- Sole Source Procurements
- Contracts based on purchasing agreements from other special districts, municipalities or counties.

## **Article 7. Public-Private Partnerships**

### **Public-Private Partnerships**

Section 255.065, Florida Statutes provides procedures for a government entity to enter into a partnership with a private person or developer – for example, to finance and construct a new fire station. Such a partnership may occur as a result of a developer submitting an unsolicited proposal or by the public entity issuing a solicitation for proposals for a specified project from interested parties.

### **Unsolicited proposals**

When the District receives an unsolicited proposal and wishes to execute a contract for the project described in the proposal, the District must have a design professional review of the proposal and any competing proposals. If the District does not have in-house professional architectural or engineering staff to undertake this review and evaluation as described in the law, there are two initial steps to this process as follows:

#### Step 1 – Hire a design professional to act as the District's agent<sup>4</sup>

The District must hire a design professional (typically an architect or engineer) through the competitive solicitation process described in section 287.055, Florida Statutes. This is required whether the District undertakes public bidding or not. The design professional must review the unsolicited proposal and all other proposals and serve the District through completion of the design and construction of the project.

---

<sup>3</sup> The District is required to follow this process as set forth in subsection 287.055(3)(a)1., Florida Statutes as amended from time to time.

<sup>4</sup> § 255.065(3)(a)5., Florida Statutes.

Step 2 Option A – If the District chooses to proceed with the project without a public bidding process<sup>5</sup>

The District may proceed with the project without engaging in a public bidding process if: 1) it holds a public meeting at which the proposal is presented and affected public entities and members of the public are able to provide comment and 2) it holds a second public meeting and determines that the proposal is in the public's interest. Section 255.0065(3) provides the factors the District must consider in determining the public's interest and additional requirements.

If the District decides to proceed without engaging in a public bidding process, it must publish in the Florida Administrative Register a report that includes information on the public entity's public interest determination.<sup>6</sup>

Step 2 Option B – If the District chooses to entertain competing proposals through a public bidding process<sup>7</sup>

The District must publish notice that it received a proposal and will accept other proposals for the same project.<sup>8</sup> The timeframe for allowing other proposals must be at least 21 days, but no more than 120 days after initial publication. The District's agent/ architectural advisor must prepare a design criteria package to include in the solicitation for competing proposals,<sup>9</sup> and must review the competing proposals received in response to the solicitation.<sup>10</sup>

If the unsolicited proposal is for design and construction of a project under the design-build project delivery method, the solicitation will need to specify that the competing proposals must be submitted by design-build firms as defined in § 287.055(2)(h), Florida Statutes.

Also of note, the District may charge the unsolicited proposer a reasonable fee to cover the costs of processing, reviewing, and evaluating the request, including attorney fees and fees for financial and technical advisors or consultants and for other necessary advisors or consultants.<sup>11</sup>

### **Solicited proposals**

The District may, on its own, solicit proposals from qualified respondents for a specific project.<sup>12</sup> If this is the selected approach, the District must have a design criteria package prepared by a design professional (architect or engineer) that will be part of the solicitation.

## **Article 8. The Solicitation Process**

---

<sup>5</sup> § 255.065(3)(c), Florida Statutes.

<sup>6</sup> § 255.065(3)(d), Florida Statutes.

<sup>7</sup> § 255.065(3)(d), Florida Statutes.

<sup>8</sup> § 255.065(3)(b), Florida Statutes.

<sup>9</sup> § 255.065(3)(c), Florida Statutes.

<sup>10</sup> § 255.065(3)(a)5., Florida Statutes.

<sup>11</sup> § 265.055(5)(f), Florida Statutes.

<sup>12</sup> § 265.055(3), Florida Statutes.

## **8.1 Steps to Initiate a Formal Competitive Procurement**

1. Prepare and publish the advertisement for the solicitation following the timeframes and requirements described in Article 5 above.
2. Post the solicitation on the District's website.
3. Respond to properly submitted questions by respondents by posting addenda on the District's website.
4. Follow the process for award provided in Article 9 below.

Sealed bids, proposals, or replies are exempt from public records disclosure until such time as the District provides notice of an intended decision or until 30 days after opening the bids, proposals, or final replies, whichever is earlier.<sup>13</sup>

## **8.2 Information Provided in a Solicitation**

Solicitations including Invitations to Bid (ITB), Requests for Proposal (RFPs), or Requests for Qualifications (RFQs) will provide the following information:

- Background and description of goods or services sought
- How to obtain the solicitation documents and addenda
- How to submit questions concerning the solicitation
- Whether the District will hold a pre-bid or pre-response meeting, and if so, whether it is mandatory or optional for all respondents
- Procurement schedule including deadlines for submitting questions and responses
- Directions for submitting a response and response format
- Minimum qualifications for submitting a response
- Required contents of the bid or response<sup>14</sup>
- Process for bid opening (for bids) or evaluation and selection process (for RFPs and RFQs)
- A copy of the contract the successful respondent will execute (if applicable)
- Notice to respondents that they must comply with the District's Procurement Policy including procedures for protest of district decisions and protest bonds
- Other provisions required by Florida Statutes:
  - Public Records § 119.0701(1)(b)
  - Scrutinized Companies – § 287.135
  - Public Entity Crimes – §§ 287.132 – 287.133
  - E-Verify – § 448.095
  - Responsible Vendor Determination – § 287.05701

---

<sup>13</sup> § 119.071(1)(b) 2., Florida Statutes.

<sup>14</sup> § 119.071(1)(c), and § 119.0715 Florida Statutes provides public records exemptions for financial information and trade secrets provided by bidders or respondents to a solicitation.

### **8.3 Changes to Solicitations and District Rights**

Section 5.4 of the District's Procurement Policy adopted by the Board states that the District may modify the specifications of a procurement or the procurement schedule by posting an addendum on the District's website. It also reserves rights to the District concerning other changes to a procurement process. This information should be stated or referenced in all District solicitations.

### **8.4 Respondent Communications with the District**

The following statement will be included in District solicitations. *"After the District issues a solicitation for purchase of goods or services, prospective respondents or their agents, representatives or persons acting at the request of respondents are prohibited from contacting any member of the District Board of Commissioners or the Fire Chief or any staff member except as specifically directed in the solicitation. This prohibition remains in effect until the Board makes a final determination concerning the solicitation. Failure to adhere to this requirement may make the person or team ineligible for selection."* This follows the requirement for state agency procurements in section 287.057(25), Florida Statutes.

## **Article 9. Process for Award**

### **9.1 Bid Opening**

The District will follow these steps when opening and awarding bids:

1. The District will open the bids at a public meeting.<sup>15</sup>
2. At the meeting, staff will read the names and amounts submitted by each bidder.
3. After the meeting, staff will review each bid to determine whether the bidder is qualified and the bid is responsive according to the requirements of the solicitation. This is an objective pass/fail test. Therefore, it is important that the solicitation clearly states the minimum qualifications for bidders and the required contents of the bid.
4. District staff will post on its website a notice of intent to award the bid to the lowest qualified and responsive bidder<sup>16</sup> and will include the ranking of all qualified and responsive bidders.
5. At the next regular board meeting, the board will consider and vote to approve or deny the staff's recommendation of award. Staff will post the board's final decision on its website.

### **9.2 Request for Qualifications and Requests for Proposals**

---

<sup>15</sup> § 255.0518, Florida Statutes.

<sup>16</sup> See § 255.20 (d)1., Florida Statutes, governing construction projects.

The process for evaluating and selecting a firm to provide services selected based on qualifications rather than price is described below. For all procurements selected based on qualifications rather than price, the District follows the requirements for selecting a firm under the Consultant's Competitive Negotiation Act (CCNA) for architectural, engineering, landscape architectural, or surveying and mapping services. The steps are:

1. District staff will review each response to determine whether it is responsive to the solicitation and whether the respondent is responsible.
2. The District will distribute the responses received to the evaluation committee.
3. Each evaluation committee member will score each response according to the criteria described in the solicitation.
4. Evaluation criteria may include:<sup>17</sup>
  - a. an evaluation of the firm's capabilities
  - b. adequacy of personnel
  - c. the ability of professional personnel
  - d. experience of the firm or individual
  - e. past performance
  - f. willingness to meet time and budget requirements
  - g. location
  - h. recent, current, and projected workloads of the firms
  - i. the volume of work previously awarded to each firm by the agency with the object of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principle of selection of the most highly qualified firms
5. The District will conduct discussions with and may require public presentations by at least the 3 top-ranked firms<sup>18</sup>
6. The District may select the top-ranked respondent by simply compiling the scores of the committee members.
7. If the District requires public presentations or interviews, any portion of a meeting at which a negotiation with a vendor is conducted, or at which a vendor makes a presentation or answers questions as part of a competitive solicitation is exempt from the public meeting requirements of section 286.011, Florida Statutes and section 24(b), Art. I of the State Constitution,<sup>19</sup> but must be recorded.<sup>20</sup>
8. For example, District staff may convene a public meeting about the competitive solicitation and announce the process for conducting individual interviews or discussions with each respondent separately without the public being present. **District staff must record each interview.**<sup>21</sup> The recording becomes a public record once the District posts its notice of an intended decision or until 30 days after opening the bids, proposals, or final replies, whichever is earlier.<sup>22</sup>

---

<sup>17</sup> § 287.055(3)(e) and § 287.055(4)(b), Florida Statutes.

<sup>18</sup> § 287.055(4)(a), Florida Statutes.

<sup>19</sup> § 286.0113(2)(b)1., Florida Statutes.

<sup>20</sup> § 286.0113(2)(c), Florida Statutes.

<sup>21</sup> § 286.0113(2)(c), Florida Statutes.

<sup>22</sup> § 119.071(1)(b) 2., Florida Statutes.

Invitations to negotiate would also follow the steps outlined in this section 9.2. This procurement method is described in section 287.057(1)(c), Florida Statutes, but is infrequently used by special districts. Before issuing an invitation to negotiate, the Fire Chief must determine and specify in writing the reasons that procurement by an invitation to bid or a request for proposal is not practicable.

## **Article 10. Protest of District Decisions**

Any substantially affected person wishing to protest a District procurement decision must follow the procedures and requirements contained in the District's Procurement Policy adopted by the Board of Fire Commissioners.

## **Article 11. The Contract with the Selected Respondent**

The District will include a contract containing scope of work and terms and conditions for completing the work. The following issues will also be addressed for each specified contract type.

### **11.1 Issues Specific to Construction**

#### **Performance and Payment Bonds**

Section 255.05, Florida Statutes requires that contractors performing construction or repairs of a public building or public work must execute and record a payment and performance bond equal to the contract price to guarantee performance of the work under the contract. The statute contains a bond form that may be used. Section 287.0935 provides the minimum requirements for surety companies issuing bonds in connection with public projects less than \$500,000.

#### **Insurance in Construction Contracts**

The District will require that the contractor obtain and maintain the types of insurance listed below. The contractor must deliver to the District certificates of insurance or other evidence of insurance acceptable to the District when the contractor executes the contract. The insurance must provide protection from claims which may arise out of contractor's performance of the work and other obligations under the contract, whether it is to be performed by the contractor, contractor's employees or the contractor's subcontractors, suppliers, and anyone for whose acts any of them may be legally or contractually responsible. The District will determine the coverage amounts required based on the cost of the work to be performed and other factors.

1. Worker's Compensation
2. Commercial or Comprehensive General Liability
3. Contractor's General Liability
4. Comprehensive Automobile Liability
5. Property Insurance for the work
6. Excess or Umbrella Liability
- 7.

## **11.2 Issues Specific to Professional Services**

### **Statutory requirements**

In each contract for professional services, the District will include provisions addressing the following issues. As required by subsection 287.055(5)(a), Florida Statutes, consultants must agree that their execution of the contract constitutes a truth-in-negotiation certificate certifying that wage rates and other factual unit costs supporting the compensation are accurate, complete, and current at the time of contracting. In addition, as required by subsection 287.055(6), Florida Statutes, consultants must warrant that he or she has not retained anyone and has not paid anyone a contingency fee to solicit or secure the contract.

### **Insurance in professional services contracts**

Consultants must purchase and maintain the following types of insurance that will provide protection from claims which may arise out of consultant's furnishing of the services, whether it is performed by the consultant or its subconsultants including:

1. General Liability
2. Excess or Umbrella Liability
3. Automobile Liability
4. Watercraft/Aircraft Liability (if applicable)
5. Workers Compensation
6. Professional Liability

## **11.3 Contract Provisions Addressed in Florida Statutes**

Florida statutes require that every contract between a vendor and the District must contain provisions addressing the following issues to ensure that public vendors are in compliance with applicable Florida laws.

1. Scrutinized Companies – § 287.135
2. Public Entity Crimes – §§ 287.132 – 287.133
3. E-Verify – § 448.095
4. Public Records – Chapter 119

The following topics are also addressed in Florida Statutes and should be included in the contract. The Local Government Prompt Payment Act in Chapter 218 PART VII (§ 218.70-218.80) provides procedures for prompt payment of vendor invoices and procedures and timeframes for local governments to require vendors to correct invoice deficiencies. Florida law also contains prescribed contractual indemnification language for construction contracts (§ 725.06) and for contracts for professional services (§ 725.08).

## **Article 12. Payment of Invoices**

## **12.1 Staff Submittal of Invoices**

As provided in section 5.6 of the District's Procurement Policy adopted by the Board of Commissioners, the Finance Director may establish and maintain procedures concerning payment of invoices. Staff must send all Invoices to [accountspayable@gnfire.org](mailto:accountspayable@gnfire.org).

## **12.2 Local Government Prompt Payment Act**

The District follows the procedures set forth in the Local Government Prompt Payment Act contained in Part VII of Chapter 218 Florida Statutes which generally provides as follows.

For payments for construction services the following procedures apply. The District will identify the agent or employee to which the contractor may submit its payment request or invoice. If an agent (including an engineer or architect) must approve the payment request or invoice before the payment request or invoice is submitted to the District, payment is due 25 business days after the date on which the payment request or invoice is stamped as received. If no agent is involved, the payment is due 20 business days after the date on which the payment request or invoice is stamped as received.<sup>23</sup>

The payment due date for non-construction services is 45 days after receipt of a proper invoice. See sections 218.73 and 218.74, Florida Statutes for more details.

Disputed invoices are addressed in section 218.76, Florida Statutes which requires that if the District receives an improper invoice, the District must notify the vendor, in writing, that the payment request or invoice is improper and indicate what corrective action on the part of the vendor is needed to make the payment request or invoice proper. See section 218.76 for more details about disputed invoices and dispute resolution requirements.

## **12.3 Retainage in Construction Contracts**

The District may withhold from each progress payment made to the contractor for construction services an amount not exceeding 5% of the payment as retainage.<sup>24</sup> The District will specify the amount of the retainage in the construction contract. As required by section 218.735(7), Florida Statutes, the District will provide in the construction contract a process and deadlines for developing a punch list of items to satisfactorily complete the project. Within 20 business days after the list is created, the District must pay the contractor the remaining contract balance that includes all retainage previously withheld less an amount equal to 150 percent of the estimated cost to complete the items on the list.

## **Article 13. Forms**

The District may require that respondents provide the following forms with the response to the solicitation or the contract:

---

<sup>23</sup> See § 218.735, Florida Statutes for more details.

<sup>24</sup> This is authorized by § 255.078, Florida Statutes.

- Public Entity Crimes Statement
- E-Verify
- Human Trafficking Affidavit
- Bid Bond
- Payment and Performance Bond