

Legislative Update – If passed these bills will cost you money

First Bill:

There are three bills introduced in this year's FL legislative session that could be real game changers for us. The AIA FL state level folks are following these the way most people follow March Madness, which is good and quite a coincidence since both events indirectly have millions of dollars on the line. Each of the three bills is important so I've asked our e-newsletter editors to highlight one per issue. I'll be as brief as possible.

If the rare occasion arises where the AIA leadership feels it necessary to request a Call to Action, you'll be contacted immediately, given all the info needed, and asked to send an email to our elected officials simply requesting them to "Oppose any legislation that amends the CCNA" .

Consultant's Competitive Negotiation Act

The CCNA is again under assault. However, this time the attack seems to have momentum. As you know, the CCNA establishes rules by which public entities select professionals based solely on qualifications. Fees are negotiated after ranking beginning with the top professional. If negotiations fail, they are resumed with the second ranked professional and so on.

The current bill would have us include a fee proposal with the initial evaluation. Your proposed fee would be compared to the fees of the others submitting and may account for up to 50% of your score.

The AIA doesn't think we should be selected based upon who agrees to the lowest fee. As architects seeking fairness and taxpayers seeking value, we should all oppose these changes. The engineer, landscape architect, and surveyor organizations oppose it also.

Second Bill:

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Suits Against Design and Construction Firms

This deals with the 10 year window where you are open to claims on your projects. Traditionally that time window began when the Certificate of Occupancy is issued. A recent court ruling decided a contract is complete upon final payment. This puts owners in the position to withhold a "final" payment, say the last \$50 or so, thereby delaying the start of the time window keeping you vulnerable forever.

The bill would establish contract completion as the last day the architect performs services in accordance with the contract. The AIA feels this is fair and supports passage of the bill. The engineer and contractor organizations support it also.

Third Bill:

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If the rare occasion arises where the AIA leadership feels it necessary to request a Call to Action, you'll be contacted immediately, given all the info needed, and asked to send an email to our elected officials simply requesting them to "Oppose Senate Bill 7000 but permit Florida-specific amendments to remain unless specifically removed or modified" .

Florida Building Code

Currently the IBC issues updates to all the major codes and the Florida Building Commission reviews them, tweaks them for Florida, and reissues them as the Florida Building Code (FBC). During the last round, some earlier amendments were accidentally overlooked and "sunsetting" causing confusion and problems for some homebuilders. This was enough to rally the homebuilders associations to the point of getting this bill proposed.

The bill would establish the Fifth (current) edition of the FBC as Florida's final base code edition. Hereafter, this edition would be reviewed to see if it "needs" to be revised. The burden of reviewing the entire coordinated family of IBC codes would be on the Florida Building Commission. They would then either add amendments or let the previous code remain unimproved.

AIA opposes this approach but supports amending the bill to keep the current FBC process in place but eliminate the provisions that caused the earlier amendments to sunset. The engineer organizations support our position but the homebuilders associations still support the bill.