Legislative Issues

1. Consultant’s Competitive Negotiation Act

The Consultant’s Competitive Negotiation Act (CCNA) was enacted by the Florida Legislature in 1973 as a qualifications-based public procurement system for professional design services and continues to be the gold standard for states across the country. CCNA works, and empirical data supports qualifications-based selection of design professionals. It is the only objective and fair way to select design professionals. The health, safety and welfare of Floridians and the efficient use of limited resources and development of high-performing buildings demands the CCNA process.

Request: Oppose legislation that would amend the CCNA’s qualifications-based selection process.

2. Limitations of Actions

HB 536 (Pausdano) and HB 875 (Lage) improve legislation passed in 2017 that defined the completion of contract as the last day services are performed on a project. This bill establishes that once a certificate of occupancy has been issued, punch list and warranty items do not extend the time for filing a complaint. Additionally, current design professionals be sued in the waning days of the 10-year statute of repose, the bill would allow 45 days for the design professional or contractor to then file a counterclaim or cross-claim against one of the other parties on the suit or sue a third party whom may be responsible for the claim being made against the design professional.

Request: Support HB 536/HB 875 fairly limiting actions within the 10-year statute of repose and adding protections for design professionals and contractors to allow third-party claims.

3. Five Forms of Flooding

In Florida, there is a high risk of water intrusion in the form of flooding events. Five flooding events include rainfall, storm surge, seasonal high groundwater, urban runoff and tidal flooding such as King Tides. Even inland cities like Orlando and Tallahassee face increased risk from urban runoff and rainfall. Coastal cities like Miami and Tampa face risk of storm surge and tidal flooding that will decrease property values and create uninhabitable areas.

Request: AIA Florida strongly encourages legislators to consider the impacts of water intrusion on current and future development and construction in Florida. AIA Florida supports the creation of an interim task force to study the impacts of the five forms of flooding and make recommendations that foster resilient communities.

4. Temporary Licensure

HB 1413 (Smith) provides for certain licensed professionals in Puerto Rico to temporarily transfer that license to Florida for two years. Puerto Rico sustained immense damage as a result of Hurricane Maria and its already bruised economy has come to a standstill leaving many professionals who have migrated to Florida in hope of finding a better financial future. As Puerto Rico has an established chapter of the American Institute of Architects with 250 members meeting the educational criteria, continuing education mandates, professional and ethical standards set forth by the Board of Architecture and Interior Design and the AIA, AIA Florida supports an amendment to include architects among the licensed professionals eligible for temporary licensure.

Request: Amend HB 1413 to include Puerto Rico’s licensed architects as professionals eligible for temporary licensure in Florida.

Legislative Response to Flood Risk

Hailing or phasing out current maladaptive policies and measures that perpetuate risky coastal development.

Fostering and funding resilience by using existing policy frameworks.

Creating new policies and measures that respond to the full extent of the challenges communities face.

Five Forms of Flooding

In Florida

Examples of sources of water intrusion show that flooding is contributed by more than just sea water.

- Storm Surge
- High Tides
- Seasonal High Ground Water
- Tidal Flooding & Sea Level Rise
- Urban Runoff
- Coastal Areas

Sources

2. NMFS-F/SPO-89. 118 pp., National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Silver Spring, MD
6. Sanibel and Captiva Island Underwater by 2060, 80% of Sanibel and Captiva Island’s usable land may be flooded. By 2040, 50% of Sanibel and Captiva Island’s usable land may be flooded. By 2000, 10% of Sanibel and Captiva Island’s usable land may be flooded.

Legislative Day

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Key to Five Forms of Flooding in Florida

- Tidal Flooding & Sea Level Rise
- Seasonal High Ground Water
- Rainfall
- Urban Runoff
- Storm Surge
- Coastal Areas

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- Tidal Flooding & Sea Level Rise
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