



Association for the Improvement  
of American Infrastructure

## P3 Snapshot: **Florida**

### SUMMARY OF P3 LEGISLATIVE STATUS:

*Florida is a broadly-enabled P3 market, including transportation, municipal buildings and environment facilities.*

- 1. Does this state have broadly-enabling P3 legislation?**  
*Current statutory authority in Florida does allow for P3s applied to transportation infrastructure projects (horizontal, heavy civil); for municipal facilities (social, vertical, people-centered, buildings, community-use); and environmental projects, (water, wastewater treatment, stormwater, flood mitigation).*
- 2. Does this state allow for Unsolicited Proposals?**  
*Florida does allow for unsolicited proposals. The state must review documents submitted, ensuring compliance with the 'Sunshine Laws' and any further review of such submissions, including legislative review, but not approval.*
- 3. What is this state's P3 Review Process?**  
*Must conduct sealed bid and selection process for both solicited and unsolicited proposals. Additional and specific processes and protocols are outlined in guidelines.*
- 4. Does this state have a Centralized Agency dedicated to P3?**  
*No. FDOT for transportation-related projects, generally speaking; but there exists autonomy for P3 procurement within several Florida governmental agencies.*
- 5. Is this a Home Rule state, with limitations or opportunities for P3?**  
*The exception to the exclusive selection of home rule or Dillon's Rule is the state of Florida, which employs home rule but reserves taxing authority for the state.*
- 6. Does this state have programmatic requirements for P3 participation?**  
*The State's procurement guidelines and specific solicitation procedures outline mandates for inclusion of local hiring objectives, and minority or female owned, or disadvantaged business enterprise participation.  
Florida's P3 statute allows for flexible payment and performance security requirements (e.g., letters of credit, parent company guarantees, etc.), provided that standard bonding requirements apply to all construction work (see F.S., § 255.05).*
- 7. Are P3 projects in this state eligible for other financing programs?**  
*Florida state agencies may draw upon financing resources, including TIFIA, PABs, and WIFIA, to provide additional leverage for financial stability of a project procured through a P3 with private capital investment. There also exists an FDOT Finance Corporation, to enable gap financing for district-scale transportation projects, or on an as-needed basis.*
- 8. What Projects or Asset Classes are eligible for P3 in this state?**  
**Municipal facilities:** Hospital and medical facilities, courthouses, police stations, fire departments, stadiums, local schools, athletic fields, gymnasiums, libraries, local community centers, cultural arts facilities, parking structures, bus stops, trolleys; **Transportation:** Ferry or mass transit, airport or seaport, rail, fuel supply facilities; **Environmental projects:** oil & gas pipelines, water, wastewater, service water management facilities; and "any improvement that will be principally used by a public entity or the public at large".
- 9. Are there Projects where the P3 procurement method has been applied?**  
*Transportation (state roads, bridges, highways) I-595 Corridor Improvements; I-4 Ultimate; PortMiami Tunnel. County and municipal wastewater facilities. Affordable housing. University facilities.*
- 10. What is the legislative foundation for P3s in this state?**  
*FLA. Stat. Ann. § 334.30 (FL DOT (transportation)  
FLA. Stat. Ann. § 337.251 (FL DOT (lease FL DOT property)  
FLA. Stat. Ann. § 338.22 to 251 (FL Turnpike Enterprise (FL Turnpike System)  
FLA. Stat. Ann. § 343.875 (NW FLA Transp. Corridor Authority (local transportation facilities)  
FLA. Stat. Ann. § 348.0004 (any expressway/transportation/bridge/toll/authority (transportation facilities))  
House Bill 58 (2013), as amended by Senate Bill 124 (2016) and Senate Bill 126 (2016).*