FTA-14 CCNA CONTINUING CONTRACT STUDY CAP INCREASE
STAFF ANALYSIS

PROPOSAL INFORMATION			
SUBMITTING COUNTY:	Marion County		
SPONSOR CONTACT:	Matt Cretul, Legislative Manager; matthew.cretul@marionfl.org; (352) 817-3139		
FAC COMMITTEE:	Finance, Tax, & Administration (FTA)	**CROSS-CLAIMS:**	N/A
FAC STAFF:	J. Scala	**DATE:**	September 29, 2026

This staff analysis is based on the proposal as submitted and does not reflect an adopted position of the Florida Association of Counties.

POLICY PROPOSAL:

FAC supports legislation that would amend 287.055(2)(g) F.S. that raises continuing contract study activity thresholds for professional services to $800,000 and adds a yearly CPI increase.

I. SUMMARY:

Marion County asks FAC to support amending s. 287.055(2)(g), F.S., to raise the per-study fee ceiling for continuing contracts under the Consultants' Competitive Negotiation Act (CCNA) from $500,000 to $800,000 and to index it annually to the Consumer Price Index.

Chapter 2024-204, Laws of Florida, raised the construction-cost ceiling in the same paragraph from $4 million to $7.5 million with CPI indexing but left the study ceiling at its 2020 level, decoupling limits that had moved together since 1988. The proposal reduces to a two-element amendment to s. 287.055(2)(g)1.b., F.S. that mirrors the indexing mechanism already operating in sub-subparagraph 1.a.; because the definition governs every CCNA "agency," the change is necessarily statewide.

FAC carried this statement in the last two Legislative Action Plans (FTA-PP-10, 2024–25; FTA-5, 2026), and no 2025 or 2026 legislation addressed the study cap. The proposal is protective of home rule, is not an unfunded mandate, and staff recommends Adopt.

II. PRESENT SITUATION:

Consultants' Competitive Negotiation Act (CCNA)

The CCNA, s. 287.055, F.S., requires each "agency" — defined in s. 287.055(2)(b) as the state, a state agency, a municipality, a political subdivision, a school district, or a school board — to procure architectural, engineering, landscape architectural, and

surveying and mapping services through qualifications-based selection. The full process — public announcement, a shortlist of no fewer than three firms, and ranked negotiation (ss. 287.055(3)–(5)) — applies to any planning or study activity whose professional fee exceeds the s. 287.017 CATEGORY TWO threshold of $35,000 (ss. 287.055(3)(a)1. and (4)(c), F.S. (2026)).

Section 287.055(4)(d) provides that nothing in the act prohibits a continuing contract, and s. 287.055(2)(g)1. defines one as a contract for:

> (a) professional services for projects in which the estimated construction cost of each individual project does not exceed $7.5 million, an amount the Department of Management Services (DMS) must adjust each July 1, beginning July 1, 2025, by the June-to-June change in the CPI for All Urban Consumers and publish on its website;
> (b) study activity if the fee for professional services for each individual study does not exceed $500,000; or
> (c) work of a specified nature, with a termination clause.

Firms under continuing contracts may not be required to bid against one another (s. 287.055(2)(g)2.), and the Attorney General reads the construction and study limits as bounding category (c) as well (Op. Att'y Gen. Fla. 2013-28). The study ceiling carries no indexing provision.

The per-project and per-study limits were created by ch. 88-108 ($500,000 and $25,000) and raised in tandem by ch. 2002-20 ($1 million and $50,000), ch. 2009-227 ($2 million and $200,000), and ch. 2020-127 ($4 million and $500,000). Chapter 2024-204 raised the construction limit to $7.5 million and added indexing but left the study limit at $500,000. The study-to-construction ratio, 12.5 percent after 2020, is now 6.7 percent against the statutory $7.5 million and lower against the indexed amount, which the submission reports as $7.725 million for 2025. A study whose fee exceeds the cap cannot be assigned under a county's existing continuing contracts and must be procured through a standalone selection, which Marion County's 2024–25 submission (FTA-PP-10) estimated at about three months. The current limit on Continuing Contracts is **$8,021,250** in effect since July 1, 2026 (DMS initiated review from Rule 60D-5, F.A.C.)

III. EFFECT OF THE PROPOSAL:

The proposal requires a single amendment to s. 287.055(2)(g)1.b., F.S.: substituting $800,000 for $500,000 and adding an annual adjustment. The indexing language enacted for the construction limit supplies the template and DMS would adjust the amount each July 1 by the June-to-June CPI-U change and publishes it on its website. No conforming change to s. 255.103(4), F.S. (construction and program management entities), is required; that section carries only a construction-cost limit.

With this change, an agency could assign to an existing continuing contract any individual study with a professional fee of up to $800,000, as indexed, without a standalone announcement, shortlist, and negotiation; studies above the cap would remain subject to the full ss. 287.055(3)–(5),F.S. process. Because paragraph (2)(g) governs every CCNA agency, the relief runs to the state, municipalities, school boards, and special districts as well as counties.

Note: $800,000 is a 60 percent increase over the 2020 amount, while applying the 87.5 percent increase enacted for the construction limit in 2024 would yield $937,500.

IV. COUNTY IMPACT:

- Counties may assign individual studies with fees up to $800,000, as indexed, to existing continuing contracts.
- The change is permissive, and counties retain discretion to run a standalone CCNA selection for any study.
- Scope: all 67 counties and every other CCNA agency; no preemption, no new duty, and no cost or revenue shift among governments.

Protective of Home Rule: Yes — the proposal expands county procurement discretion with no duty or preemption, leaving competitive selection at county option.

V. FISCAL IMPACT:

- No effect on state or county revenues; the measure is not a tax or fee bill, so no Revenue Estimating Conference estimate is expected.
- County expenditures: positive but indeterminate. Savings arise from avoided standalone selection cycles with costs with advertising, shortlist evaluation, presentations, and negotiation staff time for studies in the $500,000 to $800,000 fee band.
- Magnitude depends on how many studies each county procures in that band; the submission reports the impact as unknown, and no statewide count by fee band exists. DMS would perform a second annual adjustment, absorbable within existing resources per the 2024 analyses.

Unfunded Mandate (Art. VII, s. 18, Fla. Const.): No — the proposal requires no county or municipal expenditure, imposes no duty, and does not reduce revenue-raising authority; the incremental DMS duty is state-level and de minimis.

VI. LEGISLATIVE & FAC HISTORY:

- 2024: CS/CS/CS/HB 149 (Alvarez) passed the House 112–0 (2/28/2024) and the Senate 31–0 (3/1/2024); approved 5/28/2024; ch. 2024-204, L.O.F., effective 7/1/2024. The bill raised the construction limit to $7.5 million with CPI-U indexing by DMS each July 1 beginning 2025. The Senate companion, CS/CS/SB 656 (DiCeglie), was laid on the table. Neither vehicle touched the study limit.

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- 2020: CS/CS/HB 441 (DiCeglie) and CS/CS/SB 506 (Perry); ch. 2020-127, L.O.F.; House 117–0, Senate 40–0. Raised the limits to $4 million and $500,000. As filed, both bills would have indexed both limits annually by DMS rule; indexing was removed before passage.
- 2023: SB 250 (Martin), ch. 2023-304, L.O.F., temporarily raised the (2)(g) construction limit to $15 million for Hurricane Ian repairs through December 31, 2023.
- Every enacted increase passed both chambers unanimously; indexing failed in 2020 and succeeded in 2024 for the construction limit only.
- Past FAC statements: 2026 LAP — FTA-5 — Continuing Contract Thresholds; 2024–25 LAP — FTA-PP-10 — Continuing Contract Thresholds. Both originated with Marion County, seeking $1 million (2024–25) and a proportional, CPI-indexed increase (2025–26).
- Guiding Principles coverage: FTA Guiding Principles, Administration, B. Public Notice and Procurement — FAC supports “competitive, efficient procurement procedures that protect public resources and streamline delivery of county projects”.

BoCC action: the Marion County BoCC has voted to support the proposal, per the submission.

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