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FLORIDA'S BUSINESS LAW FIRM

BERGER SINGERMAN SURVEY REVEALS FLORIDA BUSINESSES HAVE SIGNIFICANT DOUBTS ABOUT INFRASTRUCTURE BILL

71% participants don't think the infrastructure bill will help their business

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According to survey findings released today by Florida business law firm Berger Singerman, business owners and contractors in Florida do not believe they will benefit from the Infrastructure Investment and Jobs Act and lack awareness of how to engage in the bidding process. The bill, recently enacted by the Biden Administration, promises to bring approximately $20 billion in federal funding to Florida over the next five years to upgrade its roads, bridges, airports, seaports and water systems, presenting a wealth of opportunity to businesses across the state.

55% of survey participants answered they are not optimistic about the infrastructure bill and how it will help their business, while 16% said they are doubtful. Furthermore, 59% stated they have no understanding of how the private sector can bid on and/or enter public-private partnerships for contracts funded by the infrastructure bill, while 28% of respondents have little understanding.

The survey also uncovered concerns of whether funding will be adequate to address critical condition issues such as bridges or stormwater infrastructure. 83% of respondents lack confidence that the money allotted through the Bridge Formula Program will sufficiently repair bridges across the state considered to be in poor condition. 45% voted they are not confident while 38% voted they are doubtful.

Other key survey findings include:

- 67% of participants do not believe there will be sufficient opportunity for Florida’s private sector to bid on contracts for infrastructure projects benefiting coastal communities.
- Despite provisions in the bill making public-private partnerships (P3s) easier to accomplish, only 17% of participants voted they are likely to bid on such projects.
- 42% of participants anticipate that the southeast region of Florida will benefit most from infrastructure funding versus the northeast, northwest and southwest.

“With South Florida’s climate change and transportation challenges being so vast, doubt as to whether the Infrastructure Bill will offer sufficient funds to meet those challenges is understandable,” said Javier Vazquez, a Miami-based governmental and regulatory Partner of Berger Singerman. He added, “Our local leaders have positioned us well, though, and with creative tools like Florida’s public-private partnership legislation helping to stretch those federal dollars even further, I am very optimistic that many significant projects will now be moving forward.”

Dawn Meyers, a Fort Lauderdale-based governmental and regulatory Partner at Berger Singerman, hopes to raise awareness and instill confidence in the local community. “Luckily for South Floridians, our local leaders have placed us ahead of the national infrastructure curve having already initiated numerous sustainability and transportation initiatives.” She continued, “Our community is now well positioned to reap the benefits as soon

as the Infrastructure Bill money starts flowing."

The infrastructure bill includes provisions that were crafted with businesses in mind, including competitive grant programs which prioritize partnerships with the private sector, technical assistance programs to help evaluate and develop public-private partnerships as well as other efforts designed to support small, disadvantaged business contractors as it's been long recognized that small businesses have struggled to compete for and win government contracts.

Companies interested in engaging will need to enter a bidding process, which typically first begins with a public entity making a detailed advertisement of the project. It's important for businesses to keep a watchful eye for these opportunities and there is an urgency for businesses to become prepared and educated about the process, as these dollars will go quickly to those that are ready to act.

Miami-Dade County Commissioner Danielle Cohen Higgins stated, "Miami-Dade County is uniquely positioned to benefit from the infrastructure bill thanks to the numerous transportation and sustainability initiatives our local officials have worked hard to put in place. As we work to improve and advocate for our community, I am confident we will generate ample opportunities for local businesses and residents in South Dade and the rest of our County."

Broward County Mayor Michael Udine stated, "Broward County is well positioned to benefit from the infrastructure funding bill. Part of the reason for this is our voters had the foresight to approve a sales surtax to fund transportation improvements based on a plan the County had developed with municipal input that identified many significant transportation infrastructure projects. This has enabled Broward County to hit the ground running in identifying projects worthy of federal infrastructure funding." He added, "We believe the strong position we are in to seek and obtain federal infrastructure funding will greatly benefit our residents and provide additional opportunities for local businesses and local employees to provide goods and services related to these infrastructure projects."

In an effort to help businesses across the state to benefit from and prepare for the infrastructure bill, Berger Singerman launched an Infrastructure Task Force comprised of seasoned attorneys from its Government & Regulatory and Dispute Resolution teams with decades of experience in this space. The goal of this task force is to help businesses take advantage of these opportunities and play a role in advancing local infrastructure, by becoming informed and engaged. For more information on the firm's Infrastructure Task Force and the services available, please contact Javier Vazquez at jvazquez@bergersingerman.com or Dawn Meyers at dmeyers@bergersingerman.com.

The firm's survey was conducted in March and polled more than 1,700 business owners in Florida.

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