

14.023 Notice and Protest Procedures

The notice and protest procedures set forth in Board of Governors Regulation 18.002 shall be applicable to all competitive solicitations relating to the procurement of goods and services for the construction of university capital improvement projects.

~~(1) Notification.~~

~~(a)~~

~~(2) Protest.~~

~~(a) Any qualified bidder who is adversely affected by the university's decision may file a written notice of protest within 72 hours after receipt of the notice with the president. The protesting firm must reduce its complaint to written petition and file it with the president within ten (10) days from registration of the original complaint. If the bid documents require the posting of a bond with the protest as provided by Section 255.0516, Florida Statutes, the bond shall be included with the protest.~~

~~(b) Failure to file a notice of protest or the written petition shall constitute a waiver of the right to protest proceedings.~~

~~(3) Upon receipt of the formal written petition filed in accordance with paragraph Regulation 14.023(2)(a), the president shall delay the execution of the contract until the protest is resolved by mutual agreement between the parties or by final presidential action, unless the president shall make a finding and declares that such delay would~~

~~(4) Petitions involving disputed issues of material fact shall be referred for a quasi-judicial hearing. The president may designate an administrative law judge to conduct a hearing in accordance with university procedures. At the conclusion of the hearing, an administrative law judge shall submit a written recommended order to the president. The president shall then issue a preliminary order for final action and notify the firm of such order. The preliminary order of the president shall be final, unless the firm under consideration takes exception to such order; in which event, it may file with the~~

Authority: Section 7(d), Art. IX, Fla. Const., History—Formerly 6C-14.023, 5-25-81,
Amended 8-11-