18.001 Procurement
(1) Authority of the Institutions.
Each university Board of Trustees shall adopt regulations establishing basic criteria
related to procurement, including procedures and practices to be used in acquiring
commodities and contractual services, as follows:
(a) Removing any contractor from the University’s competitive vendor list that fails
to fulfill any of its duties specified in a contract with the University(s) and to
reinstate any such contractor when satisfied that further instances of default will
not occur.
(b) Planning and coordinating purchases in volume and negotiating and executing
agreements and contracts for commodities and contractual services under which
the University may make purchases.
(c) Where practical and available, implementing the use of existing State University
System (SUS) Shared Initiatives contracts; unless the Director of
Procurement/Chief Procurement Officer or designee documents that such use is
not in the best interest of the university.
(d) Evaluating, approving, and utilizing contracts that are entered into after a public
and open competitive solicitation by any State of Florida agency, department,
Florida state college or university, the Federal Government, other states, political
subdivisions, cooperatives or consortia, or any independent college or university
for the procurement of commodities and contractual services, when it is
determined to be cost-effective and in the best interest of the University, to make
purchases under contracts let by such entities. Universities must maintain
appropriate justification for the use of services contract adoption. Universities
shall review existing consortia and cooperative contracts to identify potential
savings and, if there is the potential for savings, enter into new consortia and
cooperative contracts to achieve the savings, with the goal of achieving a five-percent savings on existing contract prices.
(e) Awarding contracts for commodities and contractual services to multiple
suppliers, if it is determined to be in the best interest of the University. Such
awards may be on a university, regional or State University System-wide basis
and the contracts may be for multiple years.
(f) Rejecting or canceling any or all competitive solicitations when determined to be
in the best interest of the University.
(g) Barring any vendor from doing business with the University for demonstrated
cause, including previous unsatisfactory performance.
(h) Prohibiting University employees and University direct support organization
employees participating on a procurement selection committee for commodities
or services from soliciting donations from responding vendors during the
selection process, except for donations or other benefits expressly stated in the
procurement document.

grant a preference for the purchase to a vendor in such state, then the
University shall grant a preference in the amount of five percent (5%) to the
lowest responsible and responsive Resident Vendor.
3. For vendors whose principal place of business is outside of Florida, such
vendors must, at the time of submitting its bid, proposal or reply, provide a
written opinion from a licensed attorney in its state specifying: (a) the
preferences(s) granted by the state or political subdivision, as applicable,
under the laws of that state to vendors whose principal place of business is in
that state or political subdivision; and (b) how the preference is calculated. The
failure to submit the written opinion may be waived as non-material if all
vendors responding to the solicitation have principal places of business
outside of Florida.
4. The vendor’s principal place of business, as represented by the vendor in its
bid or reply, may be relied upon by the University without further inquiry. If
the University determines that a vendor has misrepresented its principal place
of business, the vendor’s bid, proposal or reply shall be rejected.
5. For the purpose of paragraph (3)(a), “personal property” shall be defined as
goods and commodities, but not real estate, intellectual property or services.
(b) Preferences for Printing. When a University purchases printed materials by
competitive solicitation pursuant to paragraph (2) of this regulation, a preference
shall be provided Resident Vendors as follows:
1. If the lowest responsible and responsive bid received pursuant to an Invitation
to Bid is from a vendor whose principal place of business is outside of Florida,
then the University shall grant a preference to the lowest responsible and
responsive Resident Vendor in the amount of five percent (5%) if the
University has determined that the printing can be performed by the Resident
Vendors at a level of quality comparable to that obtainable from the vendor
submitting the lowest bid whose principal place of business is outside of
Florida.
2. For purposes of subparagraph 3(b)(1), the level of quality shall be determined
by whether a vendor satisfies the minimum specification requirements as set
forth in the Invitation to Bid.
(c) Method of Calculating Five Percent Preference.
1. If the competitive solicitation is an Invitation to Bid, then an amount equal to
five percent (5%) of the total base bid and any alternates shall be deducted
from the base bid and alternates, as applicable, of the lowest responsible and
responsive Resident Vendor’s bid.
(d) Determining a Vendor’s Principal Place of Business. A vendor’s “principal place
of business” is determined as follows:
1. If the vendor is an individual or a sole proprietorship, then its “principal place
of business” is in the state where the vendor’s primary residence is located.

2. If the vendor is a business organization, then its “principal place of business”
is in the state where the majority of the vendor’s executive officers direct the
management of the vendor’s business affairs.
(e) Federally Funded Projects. Purchases made to perform specific obligations under
federally funded projects shall not be subject to this preference requirement to the
extent the application of a preference is not allowed under applicable federal law
or regulation.
(4) Exceptional Purchases. Each university is authorized to make exceptional purchases of commodities or
contractual services as follows:
(a) Purchase of Products with Recycled Content. Each University may establish a
program to encourage the purchase and use of products and materials with
recycled content and postconsumer recovered material.
(b) Purchase of Private Attorney Services. Written approval from the Attorney
General is not required for private attorney services acquired by the University.
(c) Purchase of Insurance. Each University shall have the authority to purchase
insurance as deemed necessary and appropriate for the operation and
educational mission of the University.
(d) Purchase of Printing. However, if a University determines that it is in the best
interests of the University to purchase printed materials through a competitive
solicitation process, the preference provision in paragraph (3)(b) shall apply.
(5) Purchases from Contractors Convicted of Public Entity Crimes. A University shall not accept a competitive solicitation from or purmpetunefdw>Cyw>Cyw>C8o8
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16.Regulated public communications, except long distance telecommunication
services or facilities;
17.Purchases from an Annual Certification List developed by each University;
18.Purchases for resale;
19.Accounting Services;
20.Contracts or services provided by not-for-profit support and affiliate
organizations of the University, direct support organizations, health support
organizations and faculty practice plans;
21.Implementation/programming/training services available from owner of
copyrighted software or its contracted vendor; or
22.Purchases of materials, supplies, equipment, or services for instructional or
sponsored research purposes when a director of sponsored research or
designee certifies that, in a particular instance, it is necessary for the efficient
or expeditious prosecution of a research project in accordance with sponsored
research procedures or to attain the instructional objective.
(7)Vendors Excluded from Competition.
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