

Universities input to BOG 18.001 Purchasing Regulations: (3) Exceptions, and other language

University		University Comment	BOG Response
FAMU	1	Payment for membership dues pursuant to Section 2167.345, F.S.	Reg. 5b Sole Source would allow this
FAMU	2	Programs, conferences, workshops or continuing education events that are offered to the general public for which fees have been collected to pay all expenses associated with the program or event or that are required by a grant to be purchased, attended held or organized	Reg. 5d13 has been modified to allow this exception
FAU	1	Purchases from firms or individuals that are prescribed by state or federal law or specified by a granting agency;	Reg. 5d14 has been modified to allow this exception
FAU	2	Purchases of materials, supplies, equipment, or services for research purposes when the 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	Reg. 5d24 has been added to allow this exception
FAU	3	Emergency Purchases. When the President or designee determines that the delay due to the competitive solicitation process would cause an immediate danger to the public health, safety or the welfare of person(s), animal(s), the preservation or protection of property, or the continuance of a vital University function, the University is permitted to proceed with the procurement of commodities or contractual services without a competitive solicitation.	Reg. 5a language has been modified to provide broad emergency powers
FAU	4	Construction Direct Purchase Program (Owner/Contractor Program). Commodities to be incorporated into any public work (as that term is defined in Rule 12A-1.094, F.A.C.), which are procured by the University in accordance with the requirements of the University's direct purchase program, are not subject to any further competitive solicitation.	This will be addressed and allowed in the BOG Facilities Regulation 14
FAU	5	Programs, conferences, workshops and continuing education events that are offered to the general public for which fees have been collected to pay all expenses associated with the program or event.	Reg. 5d13 has been modified to allow this exception
FSU	1	Purchases of materials, supplies, equipment, or services for research purposes when the Vice President for research, or a designee, certifies that, in a particular instance, it is necessary for the efficient or expeditious prosecution of a research project.	Reg. 5d24 has been added to allow this exception
FSU	2	Construction Direct Purchase Program. Commodities to be incorporated into any public work (as that term is defined in Fla. Admin. Code R. 12A-1.094) which are procured by the University in accordance with the requirements of the University's direct purchase program are not subject to any further competitive solicitation.	This will be addressed and allowed in the BOG Facilities

Universities input to BOG 18.001 Purchasing Regulations: (3) Exceptions, and other language

			Regulation 14
FSU	3	Purchases from firms or individuals that are prescribed by state or federal law or specified by a granting agency;	Reg. 5d14 has been modified to allow this exception
FSU	4	\$100,000 bid threshold	Current SUS and FSU limit is \$50,000
University		University Comment	BOG Response
FSU	5	MBE Language to the effect of: each university establish an active supplier diversity program, and that the results of each university's SD program be reported to the BOG, with the expectation that improvement would be shown on a regular basis	MBE language barred by legal settlement
NCF	1	Emergency Purchases. When the President or designee determines, in writing, that: a condition exists that threatens the health or safety of person(s) or animal(s) or the preservation of property or the continuance of a vital College function; the College shall proceed with an emergency purchase. The emergency purchase is limited to the purchase of only the type of items and quantities of items necessary and for only the time period necessary to meet the immediate need.	Reg. 5a language has been modified to provide broader authority
NCF	2	Programs, Conferences, Workshops or Continuing education events that are offered to the general public for which fees have been collected to pay all expenses associated with the program or event.	Reg. 5d13 has been modified to allow this exception
NCF	3	Programs, conferences or events that have been specified by a grant, can include, but not limited to items such as lodging, meeting rooms, services and food.	Reg. 5d13 has been modified to allow this exception
NCF	4	Purchases from firms or individuals that are prescribed by state or federal law or specified by granting agency.	Reg. 5d14 has been modified to allow this exception
NCF	5	Direct owner purchases for construction or renovation projects.	This will be addressed and allowed in the BOG Facilities Regulation 14
NCF	6	Leases of space by the College for 5,000 square feet or less in a privately owned building.	This will be addressed in the

Universities input to BOG 18.001 Purchasing Regulations: (3) Exceptions, and other language

			BOG Lease Regulation
UCF	1	Accounting services (added in with auditing services)	Regulation 5d21 allows this exception
UCF	2	Contracts or services provided by not-for-profit support and affiliate organizations of the institution, health support organizations and faculty practice plans.	Reg. 5d22 has been modified to allow this exception
UCF	3	Implementation/programming/training services available from the owner of copyrighted software or its contracted vendor.	Reg. 5b has been modified to allow this exception
UCF	4	Purchases for the Florida High Tech Corridor Initiative (FHTC created by FS and gives UCF & USF the responsibility of paying the bills)	Why isn't the FHTC subject to BOG Regulations
University		University Comment	BOG Response
UCF	5	Addition to health services exemption: "including related equipment and supplies" and "the provision of developmental or vocational rehabilitation"	Reg. 5d 6 has been modified to allow this exception
UCF	6	Construction Direct Purchase Program. Commodities to be incorporated into any public work (as that term is defined in Rule which are procured by the University in accordance with the requirements of the University's direct purchase program are not subject to any further competitive solicitation.	This will be addressed and allowed in the BOG Facilities Regulation 14
UCF	7	MBE Language: The university is an equal opportunity institution and encourages procurement contracting with Minority-Owned and Small Business Enterprises. The University of Central Florida shall assist and encourage the growth of small and minority owned business by avoiding unnecessary burdens on the businesses and by promoting an atmosphere conducive to the development of these business concerns.	MBE language barred by legal settlement
UF	1	DSR exemptions: Purchases of materials, supplies, equipment, or services for research purposes when a director of sponsored research, or a designee, certifies that, in a particular instance, it is necessary for the efficient or expeditious prosecution of a research project.	Reg. 5d24 has been modified to allow this exception
UF	2	Grant-specified add to BOG 18.001 (5)(d) 14: "or specified by a contract or granting agency"	Reg. 5d14 has been modified to allow this exception

Universities input to BOG 18.001 Purchasing Regulations: (3) Exceptions, and other language

UF	3	Construction Direct Purchase: Commodities to be incorporated into any public work (as that term is defined in Fla. Admin. Code R. 12A-1.094) which are procured by the University in accordance with the requirements of the University's direct purchase program are not subject to any further competitive solicitation.	This will be addressed and allowed in the BOG Facilities Regulation 14
UF	4	MBE Language to the effect of: Initiatives that seek to be inclusive and seeks the greater good for all businesses to have an equal opportunity to compete and obtain business.	MBE language barred by legal settlement
UNF	1	Construction Direct Purchase Program	This will be addressed and allowed in the BOG Facilities Regulation 14
UNF	2	Management and Consulting Services	Suggestion not adopted
UNF	3	Programs or continuing education events...for which fees have been collected	Reg. 5d13 has been modified to allow this exception
UNF	4	Sponsored Research exemption	Reg. 5d24 has been modified to allow this exception
University		University Comment	BOG Response
USF	1	Construction Direct Purchase Program. Commodities to be incorporated into any public work (as that term is defined in Fla. Admin. Code R. 12A-1.094) which are procured by the University in accordance with the requirements of the University's direct purchase program are not subject to any further competitive solicitation.	This will be addressed and allowed in the BOG Facilities Regulation 14
USF	2	Items requested that are of a personal nature or for personal convenience of employees shall not be purchased. Examples are: fans, heaters coffee pots, mugs, refrigerators, microwaves, picture frames smoke and air filters, and various decorative items.	A university may adopt more restrictive policies
USF	3	Regarding the MBE language, I would ask the Counsel of Counsels to propose language. We need language that is to the "letter of the law" to meet both state and federal requirements and to comply with the court decisions.	MBE language barred by legal settlement

Universities input to BOG 18.001 Purchasing Regulations: (3) Exceptions, and other language

UWF	1	(3) Construction Direct Purchase Program. Commodities to be incorporated into any public work, which are procured by the University in accordance with the requirements of the University's direct purchase program are not subject to any further competitive solicitation	This will be addressed and allowed in the BOG Facilities Regulation 14
UWF	2	(q) Proprietary or copyrighted goods or services;	Reg. 5b has been modified to allow this exception
UWF	3	(r) Purchases of materials, supplies, equipment, or services for instructional or 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;	Reg. 5d24 has been modified to allow this exception
UWF	4	(s) Programs, conferences or events that have been specified by a grant, can include, but not limited to items such as lodging, meeting rooms, services and food.	Reg. 5d14 has been modified to allow this exception