

Rule 6A-14.0734 is amended to read:

6A-14.0734 Procurement Bidding Requirements.

(1) Colleges shall, as the circumstances require, publicly solicit the submittal of competitive offers ~~request bids~~ from at least three (3) sources, ~~or solicit a request for proposals as defined in Section 287.012(16), Florida Statutes,~~ when purchasing services or commodities exceeding the amount as specified in Section 287.017, Florida Statutes, for Category Two. Solicitations of competitive offers are defined as:

(a) ACompetitive sealed bids@, Acompetitive sealed proposals@ or Acompetitive sealed replies@, means the process of receiving competitive offers transmitted by secured electronic means or written bids, proposals, or replies.

(b) ACompetitive solicitations@ or Asolicitations@ means an invitation to bid, a request for proposal, request for quote, or an invitation to negotiate.

Boards of trustees may adopt smaller amounts beyond which to require the solicitation of competitive offers. bidding. The college president or designee reserves the right to Colleges may reject any or all offers submitted in response to the college-s solicitation, and/or solicit new offers as deemed in the college-s best interest bids or proposals and request new bids or proposals. When accepting responsive offers to the college-s solicitations, bids or proposals, colleges shall accept the lowest or best responsive offer bid or proposal. If other than the lowest bid or best proposal offer meeting specifications is accepted, the college shall maintain a public record of the justification.

Recommendation for awards Bids for purchases not exceeding the Category Five threshold as specified in Section 287.017, Florida Statutes, may be approved or rejected by the president or a designee if such authority is delegated in policy adopted

by the board of trustees. Recommendation for awards Bids for purchases exceeding the Category Five threshold as specified in Section 287.017, Florida Statutes, shall be approved or rejected by the board of trustees.

(2) Exceptions to the ~~three bid requirement to solicit competitive offers~~ are:

(a) ~~Purchases under Sections 946.515 and 946.51~~

~~9, Florida Statutes.~~

~~(a)(b)~~ Educational tests, textbooks, printed instructional materials and equipment, films, filmstrips, video tapes, disc or tape recordings or similar audio-visual materials, ~~artistic services as defined in Section 278.012(3), Florida Statutes including, but not limited to, film, video and television production services,~~ graphic and computer based instructional software.

~~(b)(c)~~ Library books, reference books, periodicals, and other library materials and supplies.

~~(c)(d)~~ Purchases at the unit or contract prices established through competitive solicitations by any unit of government established by law or non-profit buying cooperatives. ~~in county contracts, district school board contracts, Department of Management Services state term contracts/state negotiated agreement for price schedules (SNAPS), state university system cooperative bid agreements, cooperative contracts with other community colleges, and bid agreements of other community colleges.~~

(d)(e) Food

(e)(f) Services or commodities available only from a single or sole source. ~~Non competitive items available from one source, items for resale, and used books.~~

~~(f)(g)~~ Professional services, including, but not limited to, artistic services, instructional services, health services, as defined in Section 287.057(3)(f), Florida Statutes, academic program reviews, lectures by individuals, attorneys, legal services, auditors, and management consultants, architects, engineers, and land surveyors. ~~Services of architects, engineers, and land surveyors shall be selected and negotiated according to Section 287.055, Florida Statutes.~~

~~(g)(h)~~ Information technology resources as defined as all forms of technology used to create, process, store, transmit, exchange and use information in various forms of voice, video and data, and shall also include the personnel costs and contracts that provide direct information technology support consistent with each individual college's information technology plan. ~~in Section 282.303(10), Florida Statutes. Acquisitions of data processing equipment or software shall be in accordance with the college's long-range Information Resource Technology plan.~~

~~(h)~~ Single source procurements for purposes of economy or efficiency in standardization of materials or equipment.

~~(i)~~ Items for resale.

~~(3)~~ The executive director may waive bidding requirements in emergencies when requested and justified by the board of trustees. The college president or designee, may waive solicitation requirements in emergencies when there is an imminent threat to students, employees, or public safety or in cases when necessary to prevent damage to the facilities caused by an unexpected circumstance in accordance with rules established by the local board of trustees.

~~(4)~~ When a board of trustees finds that no valid or acceptable bid has been

received for petroleum or paper products within the prescribed time for bidding, solicits the submittal of competitive offers and only one responsive offer is submitted, it the college may purchase such products or service under the best terms it can negotiate.

Specific Authority: 946.519, 1001.02(1)(9), 1001.64, 1001.65 ~~240.325 946.515,~~

~~946.519,~~ 229.053(1) FS. Law Implemented: 1010.02, 1001.02(9), 1010.01

287.012(16), 287.917, 240.325, 240.363 FS. History - Formerly 6A-8.121,

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