



REGULATION: FGCU-PR6.013

Effective
Date of
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01/15/08

Definitions

- (1) Artistic Services – Services provided by an individual or group of individuals who profess and practice a skill in the area of music, dance, drama, folk art, creative writing, painting, sculpture, photography, graphic arts, craft arts, industrial design, costume design, fashion design, web design, motion pictures, television, radio or tape and sound recording or in any other related field.
- (2) Bid – A competitive sealed response received pursuant to the issuance of an Invitation to Bid by a responsive and qualified bidder or offeror.
- (3) Change Order – A University document formalizing the amendment of a purchase order.
- (4) Commodity – Any of the various supplies, materials, goods, merchandise, food, equipment or other personal property, including a mobile home, trailer, or other portable structure, which are purchased, leased, lease-purchased or otherwise contracted for by the University. “Commodity” also includes interest on deferred-payment contracts entered into by the University for the purchase of other commodities. Printing of publications and software to be used pursuant to license agreements shall be considered commodities.
- (5) Competitive Negotiation – The establishment of a contract through deliberation, discussion or conference on the specifications, terms and conditions of a proposed agreement.
- (6) Competitive Solicitation – An Invitation to Bid, Request for Proposal or Invitation to Negotiate to competitively select a contractor with the title, date, and hour of the public solicitation opening designated.
- (7) Contractor/Vendor – A person or firm who contracts to sell commodities or contractual services to the University.
- (8) Contractual Service – The rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. “Contractual service” does not include labor or materials or selection of professional services for the construction, renovation, repair or demolition of facilities entered into pursuant to Chapter 255, Florida Statutes.

- (9) Direct Owner Purchase – The purchase of materials or equipment by the University that were originally included in a construction manager, contractor or subcontractor bid, proposal or reply for a University construction project.
- (10) Extension – An increase in the time allowed for the contract.
- (11) Governmental Entities – The State of Florida including its local governments and political subdivisions, the federal government, and other public or private educational institutions, cooperatives or consortia.
- (12) Independent Contractor – A person or firm who provides a service to the University, but does not have any employment or other relationship or connection with that University, except as provided in Section 112.313, Florida Statutes.
- (13) Informal Quotation – A written or oral quotation not requiring a formal competitive solicitation. Written evidence of oral quotations shall be maintained. Informal quotations shall be used for those services or commodities that are not on state or University contract and that meet or exceed \$5,000 but are less than the competitive solicitations requirement in Rule 6C10-6.015, F.A.C.
- (14) Invitation to Bid – A written solicitation for competitive bids with the title, date, and hour of the public bid opening designated and the commodity, group of commodities or contractual services defined, for which bids are sought.
- (15) Invitation to Negotiate – A written solicitation to define the specifications, terms and conditions of a contract for commodities or contractual services. Cost may or may not be a consideration in the initial stages of negotiating.
- (16) Minor Irregularity – A variation from the terms and conditions of a competitive solicitation that does not affect the price of the commodities or services, give the vendor an advantage or benefit not enjoyed by other vendors, or adversely impact the interests of the University.
- (17) Minority Business Enterprise – A business concern as defined in Section 288.703(2), Florida Statutes.
- (18) President – The chief executive officer of the University, responsible for the operation and administration of the University.
- (19) Proposal – A competitive sealed response received from a vendor pursuant to the issuance of a request for proposal.
- (20) Public Entity Crime – A violation of any state or federal law by a person in the transaction of business with any public entity of any state or with the United States government involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy or material misrepresentation.
- (21) Purchase – An acquisition of commodities, licenses or contractual services obtained by contracting in any manner, whether by rent, lease, installment- or lease-purchase or outright purchase.

- (22) Purchase Order – A University document formalizing a purchase transaction with a vendor and authorizing the vendor to deliver goods or services.
- (23) Purchases for Resale – The purchase of commodities or contractual services acquired for the purpose of selling them for the benefit of the University.
- (24) Renewal – Contracting with the same contractor for an additional period of time after the initial contract term, provided the original terms of the agreement specify an option to renew.
- (25) Reply – A competitive sealed response received from a vendor pursuant to the issuance of an Invitation to Negotiate.
- (26) Request for Proposal – A written solicitation for competitive proposals for commodities or contractual services with the title, date, and hour of the public opening designated. The request for proposal may be used when the scope of work is not clearly defined.
- (27) Responsive and Qualified Bidder or Offeror – A contractor/vendor who has submitted a bid, reply or proposal that conforms in all material respects to a competitive solicitation.
- (28) Term Contract – An indefinite quantity contract for the purchase of commodities or contractual services during a prescribed period of time.

Specific Authority:

§1001.74(4), 1010.04 FS.

Law Implemented:

§287.09451, 288.703(2), 1001.74(5) FS.

History of Rule:

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