



REGULATION: FGCU-PR6.015

*Effective
Date of
Regulation:*

07-10-03

Competitive Solicitations Requirement

- (1) All purchase orders or contracts for the purchase of commodities or contractual services exceeding \$50,000 shall be awarded pursuant to a competitive solicitation, unless otherwise authorized in Chapter 6C10-6, F.A.C. The purchase of commodities and contractual services shall not be divided to avoid the requirement of competitive solicitation.
- (2) The University shall require vendors to submit a solicitation security with their response to a competitive solicitation when the contract amount is expected to be greater than \$100,000 and it is in the University's best interests to require the security. The solicitation security shall be in the form of a bid bond, certified, treasurer's or cashier's check or bank draft and the required amount shall be no greater than ten percent (10%) of the estimated value of the response value. The failure to submit such security with the response shall result in disqualification of the response.
- (3) Competitive solicitations for purchases that are expected to be in excess of \$50,000 shall be advertised in the Florida Administrative Weekly, a newspaper of general circulation, or electronically posted on the www.myflorida.com website (Florida Communities Network). All competitive solicitations will be electronically posted on the University's www.fgc.edu/ website (Purchasing Department). The President or designee shall waive the advertisement requirement when the number of potential responders is limited and can otherwise be solicited, when the availability of funding so requires, or when delivery is urgent.
- (4) When only one response is received to a competitive solicitation for commodities or contractual services exceeding \$50,000, the University will review the solicitation response and circumstances surrounding the solicitation to determine if a second call for a competitive solicitation will yield the same results. If it is determined that a second call is not in the University's best interests or would yield the same results, then the University will proceed with the acquisition.

- (5) When multiple responses that are equal in all respects are received to an invitation to bid, the University will give preference, in the following order of priority, to bids that include commodities manufactured in the State of Florida, Florida businesses, businesses with a drug-free workplace program, or foreign manufacturers located in the state, to determine the contract award. If use of these preferences does not determine a contract award, the toss of the coin shall be used to award the contract.
 - (6) In the case of extension errors in a response to a competitive solicitation, the unit price will prevail.
 - (7) A Contractor may withdraw a competitive solicitation response, in writing, within seventy-two (72) hours of the response opening, excluding Saturdays, Sundays and University holidays, or at any time thereafter with the written consent of the President or designee when the University's interests will not be adversely affected by the withdrawal.
 - (8) Notices of Intent to Award competitive solicitations shall be publicly posted at the Purchasing Department for a minimum of seventy-two (72) hours excluding Saturdays, Sundays and University holidays.
-

Specific Authority:

§1001.74(4), 1010.04 FS.

Law Implemented:

§1001.74(5), (17), (29), 1001.75(5), 1010.04 FS.

History:

New 9-30-99, Amended 7-10-03

Effective Date of Regulation:

July 10, 2003