



REGULATION: FGCU-PR6.018

Effective
Date of
Regulation:

01-15-08

Contracts

- (1) Contracts for commodities or contractual services shall consist of a purchase order or bilateral agreement signed by the President or designee prior to goods or services being rendered by the contractor. For purchases that the President or designee determines are emergency purchases in accordance with paragraph FGCU-PR6.016(5)(a), a contract shall consist of a purchase order or bilateral agreement signed by the President or designee prior to or within thirty (30) days of the goods or services being rendered by the contractor.
- (2) Any contract for the purchase of services or tangible personal property for a period in excess of one fiscal year shall include the following statement: "The State of Florida and University's performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature".
- (3) Extension of a contract shall be for a period not to exceed 12 months, shall be in writing, shall be signed by both parties, and shall be subject to the same terms and conditions set forth in the initial contract and any amendments thereto. There shall be only one extension of a contract.
- (4) A contract may contain provisions for renewal for a period no longer than the initial term. If the commodity or contractual service is purchased as a result of a competitive solicitation, the cost of any contemplated renewal must be included in the competitive solicitation. All contract renewals are subject to sufficient annual appropriations and shall be executed in writing by both parties.
- (5) The President or designee is authorized to enter into deferred payment agreements through the State of Florida's Consolidated Equipment Financing Program. No agreement shall establish a debt of the state or shall be a pledge of the faith and credit of the state; nor shall any agreement be a liability or obligation of the state except from appropriated funds.

(6) In order to promote cost-effective procurement of commodities and contractual services, the University may enter into contracts that limit the liability of a vendor in accordance with Section 672.719, Florida Statutes.

Specific Authority:

§ 1001.74(4), 1010.04 FS.

Law Implemented:

§672.719, 1001.74(5), (17), (29), 1001.75(5), 1010.04 FS.

History of Rule:

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

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