



RULES OF THE BOARD OF TRUSTEES

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- (1) To ensure that all representatives of business and industry are given equal and adequate opportunity to supply goods and services to Florida State College at Jacksonville (FSCJ/College) and to ensure a fair process for those who wish to do business with the College, the College President shall enact purchasing and procurement procedures consistent with Florida law, State Board of Education Rules and this Board Rule.
- (2) The College President is responsible and may further delegate responsibility for award and extension of all normal operating purchasing and contracts for the College less than the amount specified in Section 287.017 Florida Statutes for Category Five within the provisions of appropriate Florida Statutes and State Board of Education Rules.
 - A. No obligations for materials or services for use by the College, for which payment would be made from funds administered by the College, shall be permitted without the prior written approval of the College President or as further delegated by College procedure.
 - B. The College President shall be responsible for developing procedures for the control and efficient use of the procurement cards and credit card(s) by College employees. Procurement cards are to be used primarily for cost effective administration of purchases or pre-approved travel cost.
 - C. All purchasing shall be accomplished in accordance with procedures prescribed in State Board of Education Rules and good business practices including requesting the submittal of competitive offers from at least three (3) sources when purchasing services or commodities exceeding the amount as specified in Section 287.017, Florida Statutes, for Category Three. College administration shall place on the next regularly scheduled District Board of Trustees (DBOT) meeting an information item of all purchases made the prior month in excess of the amount specified in Section 287.017, Florida Statutes, for Category Four.
 - D. The College President has the authority to enter into debt financed purchases up to the Category Five threshold so long as the duration of the financing does not exceed five (5) years.
- (3) Solicitation of competitive sealed offers includes invitation to bid, request for quotes, invitation to negotiate, request for proposals or competitive sealed replies.
 - a. Competitive sealed replies are defined as the process of receiving competitive offers that were transmitted by secured electronic means. When applicable and appropriate, materials and services may be purchased without obtaining three (3) competitive offers pursuant to the following State Board Rule 6A-14.0734(2) exceptions:
 1. Educational tests, textbooks, instructional materials and equipment, films, video, discs or tape recordings or similar audio-visual materials, graphic and computer-based instructional software.
 2. Library books, reference books, periodicals, and other library materials and supplies.



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3. Purchases at the unit or contract prices established through competitive solicitations by any unit of government established by law or buying cooperatives.
 4. Food.
 5. Services or commodities available from only a single or sole source.
 6. Services or commodities purchased from a sole publisher, the owner of the copyright, the exclusive agent within the state, a governmental agency or a recognized educational institution.
 7. Professional services, including, but not limited to, artistic services, instructional services, health services, academic program reviews, lectures by individuals, attorneys, legal services, auditors and management consultants.
 8. Information technology resources 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 the College's information technology plan.
 9. Single source procurements for purposes of economy or efficiency in standardization of materials or equipment.
 10. Items for resale.
- B. Purchases made from the sources designated above in section (2) and other purchases exempt from competitive offer solicitation procedures by the State Board of Education Rules may be made without District Board of Trustees (DBOT) pre-approval/and without regard to monetary limitations other than budgetary limitations.
- C. Professional services shall be solicited in accordance with the competitive sealed qualifications offer requirements defined in F.S. 287.055. Professional services shall include, but not be limited to, architects, engineers, landscape architects, land surveyors, design-builders and construction managers. Professional services for architects, engineers, qualifications-based selection of design-builders, construction managers and land surveyors shall be selected and negotiated competitively in accordance with the provisions of Section 287.055 Florida Statutes. Substantiating information shall be submitted prior to purchase from a single source.
- D. Purchases made under College contracts or agreements which have been approved by the DBOT may be made without regard to monetary limitations other than budgetary limitations.
- E. The College President is authorized to develop procedures to waive solicitation requirements in emergencies when there is an imminent threat to students, employees or public safety or in

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cases when necessary to prevent damage to the facilities caused by an unexpected circumstance.

F. When the College solicits the submittal of competitive offers and only one responsive offer is submitted, the College may purchase such products or services under the best terms it can negotiate.

- (4) When accepting responsive offers to the College's solicitations, the College shall accept the lowest or best responsive offer. If other than the lowest or best offer meeting specifications is accepted, the College shall maintain a public record of the justification.
- (5) The College reserves the right to reject any or all offers submitted in response to the College's solicitation for purchases less than the amount specified in Section 287.017, Florida Statutes, for Category Five, and the right to solicit new offers as deemed in the College's best interest. Recommendations for awards exceeding the Category Five threshold as specified in Section 287.017, Florida Statutes, shall be approved or rejected by the DBOT.
- (6) Pursuant to Section 1010.04, Florida Statutes, before purchasing nonacademic commodities and contractual services, exceeding the amount as specified in Section 287.017 Florida Statutes, for Category Three, the College will review the purchasing agreements and state term contracts available under Section 287.056, Florida Statutes, to determine whether it is in the DBOT's economic advantage to use the agreements and contracts, subject to Federal grant restrictions where applicable.

(General Authority: F.S. 287.017, 287.055, 287.064, 287.084, 287.133, 1001.64, 1001.65, 1010.04, SBE Rule 6A-14.0734)

(Adopted 07/01/72, Revised 07/01/74, 06/23/80, 02/18/81, 06/29/83, 04/07/98, 10/06/98, 10/5/99, 11/7/00, 02/05/02, 03/01/05, 10/02/07, 09/09/14, 08/11/15, 07/01/16, 08/15/17, 12/10/19, Formerly 2.4)
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