

NOTICE OF PROPOSED REGULATION AMENDMENT  
October 27, 2006

DEPARTMENT OF EDUCATION  
Division of Universities  
University of West Florida  
REGULATION TITLE:

**UWF REG 6.0054 Competitive Solicitation Requirements**

**PURPOSE AND EFFECT:** The purpose of the amendment to this regulation is to update the name of the responsible department; to clarify the consequences for bidders who withdraw bids; and to make the provisions consistent with current law.

**SUMMARY:** The amendment updates changes in the law, the responsible department and clarifies bid withdrawal consequences.

**THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED.**

**SPECIFIC AUTHORITY FOR REGULATION:** 1001.74(4) FS.

**LAW IMPLEMENTED:** 1010.04(4) FS.

**NAME OF UNIVERSITY OFFICIAL INITIATING PROPOSED REGULATION:** Mr. David O'Brien, Assistant Vice President for Administrative Affairs.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS:** Vicki Knaack, Coordinator, [vknaack@uwf.edu](mailto:vknaack@uwf.edu), Phone (850) 474-3420; FAX (850) 857-6058; Bld. 10/Rm 128; 11000 University Parkway; Pensacola, FL 32514-5750. Any comments regarding the proposed regulation must be sent in writing to the contact person on or before November 10, 2006 to receive full consideration.

**University of West Florida Regulations**

**UWF/REG-6.0054 Competitive Solicitation Requirements.**

(1) All contracts for the purchase of commodities or contractual services exceeding \$50,000 shall be awarded pursuant to a competitive solicitation, unless otherwise authorized herein.

(2) 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 is in the best interest of the University. If it is determined that a second call would not be in the best interest of the University, the University will proceed with the acquisition.

(3) When multiple responses that are equal in all respects are received to a competitive solicitation, the University ~~will~~ may give preference to responses ~~in the following order of precedence:~~  
~~(a) that include -Commodities commodities manufactured in the state;~~  
~~(b) Florida businesses;~~  
~~(c) Businesses with a drug-free workplace program;~~ and/or  
~~(d) Foreign manufacturers located in the state.~~

If these conditions do not exist or are equivalent between two or more responses, the award will be based on the toss of a coin.

(4) The purchase of commodities and contractual services shall not be divided with the intent to avoid the requirement of competitive solicitation.

(5) The ~~intended notice of intent to~~ award shall be publicly posted in accordance with Section 120.57(3), F.S., by the ~~Purchasing Department~~ Procurement Services Department for 72 hours prior to award. ~~-which- This~~ is interpreted as three working days excepting Saturdays, Sundays, or State holidays. Any person who is adversely affected by the University's decision or intended decision may file a written notice of protest with the ~~Director of~~ Purchasing Procurement Services Department, provided such is done in accordance with Florida law.

(6) ~~Bid/proposal responses shall remain confidential until notice of final contract award or ten (10) days after the bid or proposal due date, whichever is earlier.~~ Responses to competitive solicitations shall remain confidential in accordance with Chapter 119 F.S.

(7) As a general rule, in the case of extension errors, the unit price will prevail. However, the University reserves the right to disqualify bid responses for lack of clarity.

(8) Modifications to bid or proposal response. A bidder or respondent may amend its bid or proposal, including revocation, in writing up until the due date and time of responses.

(9) Withdrawal of bid or proposal response. A bidder or respondent may revoke its bid or proposal in writing up until the due date and time of responses.

10) Withdrawal of solicitation by bidders after the opening. Should a bidder withdraw its bid after bid opening, the University reserves the right to collect on the vendor or contractor's bid bond.

*Specific Authority 1001.74(4), ~~1010.01(2) FS. Law Implemented 1001.74(5), 1010.04(4) FS. History--New 7-1-03. Formerly 6C6-6.0054. Converted to UWF/REG 6.0054 - 7/21/05. Amended~~.*