

**RULES OF  
DEPARTMENT OF EDUCATION  
DIVISION OF UNIVERSITIES  
UNIVERSITY OF FLORIDA**

6C1-3.020 Administrative Affairs; Purchasing.

1. Formal Invitation to Bid or Request for Proposal

a. Advertisement. Invitations to Bid or Requests for Proposals for commodities expected to be in excess of \$150,000 and contractual services expected to be in excess of \$50,000 shall be advertised in the Florida Administrative Weekly or Florida Communities Network. The Director of Purchasing shall have the authority to waive the advertisement requirement when the number of potential bidders is limited and can otherwise be solicited, when the availability of funding so requires, or where delivery is urgent.

1. Bids shall remain sealed for at least ten (10) days after the advertisement appears.
2. Proposals shall remain sealed for at least twenty-eight (28) days after the advertisement appears.

b. In the case of extension errors, the unit price will prevail.

c. Withdrawal - A vendor may withdraw his/her bid in writing, if done within seventy-two (72) hours of the bid opening, if the bid is clearly erroneous and it is withdrawn prior to final award or the purchase order being issued.

d. Tie bids will be broken pursuant to Rule 6C-18.044(3). If none of the preferences listed in Rule 6C-18.045(3) is applicable, or, if a tie remains unbroken after application of such preferences, the following methods will be used to break the tie:

1. Toss of a coin
2. Draw of a card

e. The Intended Award will be publicly posted in the purchasing office which issued the Invitation to Bid or Request for Proposal for 72 hours, which shall be interpreted as three (3) working days, not counting Saturday, Sundays, and State holidays.

2. Sole Source Procurement. Sole Source documents are publicly posted for three (3) working days, not counting Saturday, Sundays, or State holidays.

3. Pro-rata Payment of Retainage. If a contractor does not furnish proof of payment to subcontractors, materialmen, or laborers within 60 days after the project is certified to be finally complete by the University, the University will pay any retainage, on a pro-rata basis, directly to the subcontractors, materialmen, or laborers. In order to obtain payment, subcontractors, materialmen, or laborers who have not been paid after the 60 days has passed have an additional 30 days to submit documentation satisfactory to the University showing that they have performed work on the project, the amount due, and certifying that they have not been paid. If a contractor does not complete a project, the University will use any retainage to complete the work and then pay any balance of the retainage, on a pro-rata basis, to subcontractors, materialmen, or laborers who provide the above required documentation within 30 days after the completion of the project.

4. Debarment of Vendors. The Director of Purchasing shall be authorized to remove from the bid mailing lists of the University the names of prospective vendors or suppliers for reasons of non-performance or for failure to respond to three (3) or more Invitations to Bid. The receipt of a "NO BID" will be considered a response. The Director will notify the Board of Regents of the action if it is for nonperformance for dissemination to other State Universities.

Specific Authority: 240.227(1), F.S.

Law Implemented: 240.202, 240.227(12)(13)(21), F.S.

History: New 1-8-80, Amended 3-26-80, 8-6-81, 2-11-82, Formally 6C1-3.20, Amended 5-18-92, 07-11-94, 04-30-95, 05-23-96, 06-28-98, 05-01-00.

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