UNIVERSITY OF NORTH FLORIDA

Regulation Number	Regulation Title	Effective Date	Revised Date
	Purchasing – Notice and Protest Procedures		
Responsible Division/Department: Administration and Finance/Purchasing			
■New Regulation	❑ Revision of Existing Regulation	❑ Repeal of Existing Regulation	❑Reaffirmation of Existing Regulation

I. OBJECTIVE & PURPOSE

The objective of the regulation is to establish proper protocol for filing a bid protest and outlining the process through which a dispute is heard and resolved.

II. STATEMENT OF REGULATION

(1) **Notification.**
(a) **Competitive Solicitation** – The University shall provide notice of any information relating to a competitive solicitation by advertising for bids or by distribution of solicitation documents.
(b) **Contract Award** – The University shall provide notice of a decision or intended decision concerning a solicitation, contract award, or exceptional purchase by electronic posting. This notice shall contain the following statement: "Failure to file a protest in accordance with UNF Regulation _____, or failure to post the bond or other security as required in UNF Regulation _____, shall constitute a waiver of protest proceedings."

(2) **Protest.**

(a) Any qualified offeror who is adversely affected by the University's decision may file a written notice of intent to protest within 72 hours after University posting of award or intent to award notice. The protesting firm must reduce its complaint to written petition and file it with the President of the University within ten (10) calendar days from registration of the original complaint. If the competitive solicitation documents require the posting of a bond with the protest, the bond shall be included with the protest.
(b) Failure to file a notice of protest or the written petition, including posting of the required protest bond, shall constitute a waiver of the right to protest proceedings.

(3) Upon receipt of the formal written petition filed in accordance with this regulation, the President or the President's designee shall delay the execution of the contract until the protest is resolved by mutual agreement between the parties or by final presidential action, unless the President shall make a finding and declares that such delay would cause serious danger to the public health, safety or welfare.

(4) Petitions involving disputed issues of material fact shall be referred for a quasi-judicial hearing. The President shall designate an administrative law judge to conduct a hearing in accordance with University procedures. At the conclusion of the hearing, the administrative law judge shall submit a written recommended order to the President. The President shall then issue a preliminary order for final action and notify the firm of such order. The preliminary order of the President shall be final, unless the firm under consideration takes exception to such order; in which event, it may file with the President such exceptions within twenty-one (21) days of receipt of notice of the preliminary order. At the end of the period for filing exceptions, the President will review the preliminary order and any exceptions that have been filed, and will render the final order. The decision of the President is final. Appellate review of the final order shall be in accordance with the requirements of Rule 9.190(b) (3), Florida Rules of Appellate Procedure.

Authority – Section 7(d), Article IX, Fla. Const.; Board of Governors Regulation 18.002;
History—New _____. (date)