

NOTICE OF REGULATION REPEAL

September 11, 2013

DEPARTMENT OF EDUCATION

Division of Universities
University of North Florida

REGULATION TITLE:

Purchasing – Notice and Protest Procedures

REGULATION NO.:

13.0020R

SUMMARY:

The repeal is being undertaken in order to establish and implement a new regulation that is current and in accordance with the recently adopted BOG regulation on notice and protest procedures.

FULL TEXT:

The full text of the regulation for repeal is attached.

AUTHORITY:

Resolution of the Florida Board of Governors dated January 7, 2003 and BOG Regulation 18.002.

UNIVERSITY OFFICIAL INITIATING THE REPEALED REGULATION:

Shari Shuman, Vice President Administration and Finance

INDIVIDUAL TO BE CONTACTED REGARDING THE REPEALED REGULATION:

Stephanie Howell, Paralegal, Office of the General Counsel, showell@unf.edu, phone (904)620-2828; fax (904)620-1044; Building 1, Room 2100, 1 UNF Drive, Jacksonville, FL 32224.

Any comments regarding the repeal of the regulation must be sent in writing to the contact person on or before September 25, 2013 (14 days from the date of posting this Notice) to receive full consideration.



UNIVERSITY OF NORTH FLORIDA

Regulation Number	Regulation Title	Effective Date	Revised Date
13.0020R	Purchasing – Notice and Protest Procedures	10/02/08	
Responsible Division/Department: Administration and Finance/Purchasing			
<input checked="" type="checkbox"/> New Regulation <input type="checkbox"/> Revision of Existing Regulation <input type="checkbox"/> Repeal of Existing Regulation <input type="checkbox"/> 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.~~

~~H. 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 13.0020R, or failure to post the bond or other security as required in UNF Regulation 13.0030R, 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 University of North Florida Purchasing Department 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 Board of Governors Regulation 18.002; History New: Approved by the Board of Trustees October 2, 2008.~~