PURPOSE

This administrative rule establishes College policy for authorizing purchases and contracts by the College.

RULE

The President or designee shall be responsible for all purchasing and contracts for the College within applicable provisions of Florida Statutes and State Board of Education (SBE) Administrative Rules.

When purchasing or contracting for commodities or services that exceed the amount specified in Section 287.017, Florida Statutes for Category II, the College shall, as the circumstances require, publicly solicit the submittal of competitive offers from at least three (3) sources. Purchases and contracts not exceeding one hundred fifty thousand dollars ($150,000) as well as all purchases that are exceptions to the requirement to solicit competitive offers require approval by the President or designee. Purchases and contracts that require publicly solicited competitive offers and which also exceed one hundred fifty thousand dollars ($150,000) require approval by the College’s District Board of Trustees.

The College may purchase and contract for commodities and services in accordance with SBE Administrative Rule 6A-14.0734(2) which provides for exceptions to the requirement to solicit competitive offers. Reports of all such purchases and contracts over one hundred fifty thousand dollars ($150,000) shall be made to the College’s District Board of Trustees on a quarterly basis.

This administrative rule also applies to purchases and contracts for facility construction and the improvement of the educational plant, to the extent that it is supplementary to, and not in conflict with State Requirements for Educational Facilities (SREF) and other applicable rules, regulations, and statutory provisions. Contractors for construction projects, architects, engineers and providers of related professional services shall be solicited and selected in accordance with SBE Administrative Rule 6A-14.0734, F.S. 287.055, F.S. 1013.45, and F.S. 1013.46.
For construction projects of one hundred fifty thousand ($150,000) or more, the President or designee may approve change orders of up to twenty-five (25%) of the total project cost or up to one hundred fifty thousand dollars ($150,000), whichever is less. For projects less than one hundred fifty thousand dollars ($150,000), the President may approve change orders up to the amount designated in F.S. 287.017 Category II. Reports of these change orders shall be made to the College’s District Board of Trustees at their next regularly scheduled meeting.

The College will make a good faith effort to encourage participation of woman and minority business enterprises in procurement activities for commodities and services and in construction contracts. No person shall be excluded from participation in, denied benefits of, or otherwise discriminated against in connection with the award and performance of any Hillsborough Community College procurement or contract on the basis of race, color, religion, national origin, age, sex, disability, or marital status. Hillsborough Community College recognizes and adheres to the provisions of the Americans with Disabilities Act, the Rehabilitation Act of 1973 and all laws protecting the rights of the disabled. Any complaint of discrimination regarding the procurement or contract process at the College will be investigated by the College’s Office of Equity. If a project is funded fully or in part by a federal grant(s), the Director of Purchasing will work directly with the Grants Office to be consistent with federal requirements.

The President or designee may waive solicitation requirements in emergencies in accordance with Florida Statutes and State Board of Education (SBE) Administrative Rules or when delaying procurement of the item or service would be detrimental to the best interest of the College. Such purchases and contracts will be reported to the College's District Board of Trustees at their next regularly scheduled meeting.

Insurance shall be procured in accordance with F.S. 112.08.

Notice of a decision or intended decision and related protests arising from the contract solicitation or award process will be handled in accordance with F.S. 120.57 and the College's Administrative Procedure.

Vendors may permanently be deleted from the College’s vendor database for conviction of fraud or other criminal offenses in connection with the vendor’s business enterprise.

The President shall develop and implement an administrative procedure regarding procurement by the College.

History: