FLORIDA ATLANTIC UNIVERSITY

PURCHASE GUIDELINES & MANUAL

FLORIDA ATLANTIC UNIVERSITY

PROCUREMENT DEPARTMENT

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OBJECTIVE & PURPOSE

Operating Procedures		
FLORIDA ATLANTIC UNIVERSITY	Title:	Purchase Guidelines and Manual
	Purpose:	To establish the required policies and procedures for all Florida Atlantic University personnel when making purchases, ensuring compliance and efficiency.
	Effective Date:	October 07, 2025
	Last Updated:	November 17, 2025

The purpose of this document is to establish uniform guidelines and procedures consistent with the authority and responsibilities granted to the Florida Atlantic University Board of Trustees and the President towards the establishment of an effective procurement program for the acquisition of commodities, contractual services, and construction.

AUTHORITY

Florida Statutes 1001.74, and Board of Governors Regulations 18.001, 18.002 and 18.003.

REGULATIONS

Florida Atlantic University Regulation 6.008 - Purchasing

POLICIES

Florida Atlantic University Policy 11.1 – Signature Authority

INTRODUCTION

Procurement is an important function of the administrative management of the University. The purchasing function is assigned to the Procurement Department, Financial Affairs. Procurement is a customer service organization which supports the students, the instructional and research efforts of the faculty and staff, as well as other University service departments such as Buildings & Grounds, the University Controller's office, Student Activities, the Office of Information Technology, and the direct-support organizations of the campus community.

Within the Procurement organization, purchasing involves the acquisition of equipment, furnishings, supplies, construction services, maintenance services, professional services, contractual services, and the lease of space for the University within established budgetary constraints. Purchasing functions also include preparing estimates; preparing bid specifications; initiating formal quotations, proposals, and bids; conducting public bid openings; evaluating bids; and negotiating and awarding contracts.

This manual, issued by the Director of Procurement by direction of the University President, establishes uniform procedures relating to the purchase of commodities and services.

The manual reflects statutory requirements of the State of Florida, regulations and directives established by the Board of Governors, the Florida Atlantic University Board of Trustees, and standard practices in the public university system of Florida, as applicable. The requirements stated here in shall apply to all purchases of commodities and services whether funded by state appropriation, grants, or student fees.

Except as otherwise delegated by the President, the Procurement Department is the only University department authorized to commit funds for the acquisition of commodities or services and is the initial point of contact for most service contracts and agreements prior to any obligation or commitment by the University.

DEFINITIONS

A. Artistic Services - Services provided by an individual or group of individuals who profess and practice a skill in the area of music, dance, drama, folk art, creative writing, painting, sculpture, photography, graphic arts, web design, craft arts, industrial design, costume

design, fashion design, motion pictures, television, radio or tape and sound recording or in any other related field.

B. Commodity – Typically defined as goods, it includes any of the various supplies, materials, goods, merchandise, food, equipment or other personal property, including a mobile home, trailer or other portable structure, which are purchased, leased, lease purchased or otherwise contracted for by the University. Commodity also includes interest on deferred-payment contracts entered into by the University for the purchase of other commodities. Printing of publications, vehicles and software and license agreements shall be considered commodities.

C. Competitive Solicitation - An Invitation to Bid or Negotiate (ITB/ITN), Request for Proposal to competitively select a contractor.

D. Construction Services -- Contractual services, including labor or materials, for the design, construction, renovation, repair or demolition of university facilities.

E. Contractor/Supplier/Vendor- A person or firm who contracts to sell goods/commodities or contractual services to the University.

F. Contractual Service - The rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors.

G. Extension - An increase in the time allowed for the performance of the contract.

H. Independent Contractor - A person or firm who provides a service to the University but does not have any employment or other relationship or connection with the University, except as provided in Section 112.313, F.S.

I. Invitation to Bid (ITB) - A written solicitation for competitive sealed bids, designating the title, date, and hour of the public bid opening and also defining the commodity, group of commodities or services.

J. Invitation to Negotiate (ITN) - An invitation extended to prospective contractors, whether by advertisement, written solicitation, electronic media or any other form of communication, to define the specifications, terms and conditions of a contract for commodities or contractual services. An invitation to negotiate may be used when negotiations are beneficial to achieve the best outcome for the University.

K. Public Entity Crime - A violation of any state or federal law by a person in the transaction of business with any public entity of any state or with the United States government involving

antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

L. Purchase - An acquisition of commodities, services or licenses obtained by purchase order, contract or other authorized purchasing method, whether by rent, lease, installment, lease-purchase or outright purchase.

M. Purchases for Resale - The purchase of commodities or contractual services acquired for the purpose of selling them for the benefit of the University.

N. Renewal - Contracting for an additional period of time after the initial contract term, provided the original terms of the agreement specify an option to renew.

O. Request for Proposal - A written solicitation for competitive proposals for commodities or contractual services designating the title, date, and hour of the public opening. The request for proposal is used when the scope of work is not clearly defined.

P. Vehicles - Includes any automobile, truck, motorcycle, bicycle, golf cart, watercraft or other vehicle designed primarily for transporting persons as well as construction vehicles or farm equipment.

Q. Emergency Purchase - The purchase of commodities or services due to a danger to the public health, the safety or the welfare of person(s), animal(s), the preservation or protection of property, or the continuance of a vital University function. Note that emergency purchases can only be applied to unforeseen events; a lack of planning does not constitute an emergency.

R. Identical (Tie) Bids - Two or more bids which are equal in all respects as to price, quality and service.

S. Quotation - A written or verbal offer for commodities or services not requiring a public opening at a specific date and time.

T. May - Denotes the permissive.

U. P-Card - The FAU Purchasing Card is used for official university-related purchases by regular university full-time employees who are in a fiscally responsible position. Please see the supplement entitled “Purchasing Card User Manual/University Agency Plan” for related policies and procedures.

V. Shall - Denotes the imperative.

W. Sole Source Purchase - A purchase of commodities or services where only one vendor is capable of providing an item or service, and therefore it is not possible to obtain competitive bids.

1. GENERAL GUIDELINES AND PROCEDURES

This section contains the general procedures of the Procurement Department.

1.1 DEFINITIONS

A. Purchasing Activity - A University function delegated to the Procurement Department by the University President, to develop descriptions/specifications, selection, and solicitation of sources, and prepare award of contracts for commodities and services.

B. Procurement Officer - A person, delegated the authority by the University President, to enter into, award, modify or terminate contracts and make related determinations and findings. The term includes any authorized representatives of the purchasing officer acting within the limits of their authority.

1.2 PURCHASING RESPONSIBILITY AND AUTHORITY

The University President is the Chief Executive Officer and is responsible for the operation and administration of the University. The President has delegated to the Procurement Department the powers and duties prescribed in FAU Regulation 6.008, Purchasing.

1.3 DIRECTOR OF PROCUREMENT

The President shall delegate the powers and duties to approve, execute and administer University contracts for the purchase of commodities and contractual services and to establish policies and best practices to facilitate such duties. In addition, the Purchasing Department has the responsibility to:

A. Investigate and develop sources of supply and enter contracts for the purchase of goods or services including installment or lease-purchase contracts.

B. Evaluate the ability of any supplier to remain on a competitive supplier list, based on the their responsiveness to competitive solicitations, the ability to fulfill the duties specified in contracts, or any disruptive or unprofessional conduct or conduct which is not conducive to the University environment on the part of the supplier or its agents, and bar suppliers from doing business with the University for demonstrated cause as determined by the President, including previous unsatisfactory performance.

C. Planning and coordinating purchases in volume and negotiating with suppliers.

D. Develop an Annual Certification List to serve as a waiver of the competitive solicitation requirement for commodities/services that are frequently purchased and are available from a single source. (Exhibit A)

E. Evaluate, approve, and utilize contracts established by the Federal Government, the State, other states, political subdivisions or entities, colleges, universities, educational cooperatives or educational consortia that are publicly bid for the procurement of commodities and contractual services, when it is determined to be cost-effective and in the best interest of the University to make purchases under contracts established by such other entities and to identify potential savings and, if there is the potential for savings, enter into new consortia and cooperative contracts to achieve the savings.

F. Elect as an alternative to the provisions of University Regulations 6.008, Section (8)(b) herein, to proceed with a bid solicitation or contract award process when it is set forth, in writing by the President, the particular facts and circumstances which require the continuance of the solicitation or contract award process without delay in order to avoid an immediate and serious danger to the public health, safety or welfare.

G. Award contracts for commodities and contractual services. This includes the authority to make awards to multiple suppliers, awards in multiple year terms, or award contracts on behalf of multiple institutions or entities. (Ref. Office of the President policy 11.2)

H. Reject or cancel any or all competitive solicitations, in whole or in part, when determined to be in the best interest of the University.

I. Purchase insurance is deemed necessary and appropriate for the operation and educational mission of the University.

J. Coordinate with the University's Design and Construction Services Department the administration of Construction Services, which services shall be administered pursuant to Chapter 14 of the Florida Board of Governors (BOG) Regulations.

K. To plan and coordinate purchases in volume and to competitively bid, negotiate and execute purchasing agreements and contracts for the recurring needs of the University.

L. To prescribe the methods of securing bids or negotiating and awarding contracts.

M. To negotiate on the best terms and conditions in the event no bids are received.

N. To establish standards, formulate specifications, and determine the source of supply for any commodity or service requisitioned by any department of the University, except as specifically provided under Section 1.4, Contract Authority.

O. To prescribe items and quantities to be purchased locally by departments.

P. To execute contracts, whether by purchase order (goods or services) or other approved purchasing method, for commodities and services required by the University.

Q. To develop, distribute, and maintain the guidelines and procedures manual of the Procurement Department for purchasing in furtherance of FAU Regulation 6.008.

1.3.1 PROCUREMENT DEPARTMENT STAFF, DELEGATED AUTHORITY

The Procurement Director has delegated signing authority to key Purchasing Staff as per the Office of General Counsel @ https://www.fau.edu/generalcounsel/signatures/ :

- **Director of Procurement:**

Authorized to approve and execute all purchase orders for the FAU System for licenses, the acquisition or provision of commodities, goods, equipment, and services, and leases of real and personal property rendered to or by the FAU System. Authorized signature for contracts <=$500,000.

- **Associate Director of Procurement:**

Signature approval for purchase orders and change orders <= $500,000. Authorized signature for contracts <=$150,000

1.4 CONTRACTING AUTHORITY OTHER THAN PURCHASING

The President has delegated signature authority to other University positions, not under the supervision of the Director of the Procurement Department, in accordance with University Policy 11.1. – Signature Authority.

1.5 CODE OF ETHICS AND STANDARD OF CONDUCT

All University personnel engaged in purchasing and related activities shall conduct business dealings in a manner above reproach in every respect. Transactions relating to expenditure of public funds require the highest degree of public trust to protect the interests of the University and the taxpayers of Florida. All University personnel engaged in the purchasing cycle, including the President, Vice Presidents, Deans, Chairpersons, Directors, budget committee members, initiators of requirements and their supervisors, receiving personnel, finance and accounting personnel, P-Card holders, and all members of a purchasing activity are bound by the standard

of conduct for public officers and employees set forth in Chapter 112, Part 3, Florida Statutes and Florida Atlantic University Regulations 5.011, University Ethics.

1.6 EMPLOYEE CONFLICT OF INTEREST AND GRATUITIES

A. Conflict of Interest - Except as may be permitted by the regulations of Florida Atlantic University, it shall be a breach of ethical standards for any employee of the University to participate directly or indirectly in the purchasing process when the employee knows that:
   1. He/she or any member of his/her immediate family will benefit from a university purchasing transaction.
   2. A business or organization in which he/she, or any member of his/her family, (spouse, children, parents, brothers and sisters) has a financial interest and will benefit from a university purchasing transaction; or
   3. Any other person, business, or organization with whom he/she or any member of his/her immediate family, is negotiating or has an arrangement for employment and will ultimately benefit from a university purchasing transaction.
   4. All employees having a financial interest in a private concern shall file a statement annually with the university disclosing such interest.
   5. All individuals taking part in the development or selection of criteria for evaluation, the evaluation process, and the contract award process in any purchase shall be independent of and have no conflict of interest in the entities evaluated and selected.

B. It shall be a breach of ethical standards for any employee of the university to accept, solicit, or agree to accept a gratuity of any kind for personal gain in connection with any contract for commodities or services. Current or potential contractors are prohibited from offering an employee of the university a gratuity of any kind for the employee's personal gain to influence the development of a contract or potential contract for commodities or services.

C. All individuals taking part in the development or selection of criteria for evaluation, the evaluation process, and the contract award process in any purchase shall be independent of and have no conflict of interest in the entities evaluated and selected. The university shall not accept a competitive solicitation from, or purchase commodities or contractual services from a person or affiliate who has been convicted of a public entity crime and has been placed on the State of Florida's convicted vendor list for a period of 36 months from the date the person or affiliate was added to the convicted vendor list.

D. A person or firm who receives a contract to perform a feasibility study for potential implementation of a subsequent contract, participates in the drafting of a competitive solicitation, or develops a program for future implementation shall be ineligible to contract with the University or compete for such procurements dealing with the specific subject matter.

E. University employees and university direct support organization employees participating on a procurement selection committee for commodities or services are prohibited from soliciting donations from responding vendors during the selection process, except for donations or other benefits expressly stated in the procurement document.

1.7 BIDDING

A. Informal - For purchases less than $25,000 no formal quotations are required.

B. Competitive Quotes - For purchases between $25,000 and 74,999.99, competitive quotations must be obtained in writing from two or more sources when the commodity or service warrants competitive pricing and not otherwise exempted. For purchases greater than $75,000 and less than $150,000, competitive quotations must be obtained in writing from three or more sources when the commodity or service warrants competitive pricing and not otherwise exempted. The Procurement Director, Associate Director, and Assistant Director may, at his/her discretion, waive the requirement for written quotations when it is in the best interests of the University. The purchasing file shall be documented prior to the processing of a purchase order as to the circumstances when competitive quotes are not obtained.

C. Formal - Purchases of contractual services, commodities, or deferred payment contracts in excess of $150,000 shall not be made without attempting to secure two or more formal bids, unless otherwise exempted herein as per FL SUS Regulation BOG 18.001, 6. (See section 3.0)

D. For the purposes of determining the bidding threshold the total cost of the requirement may include any options, add, or deduct alternates, and trade-ins, for the life of the contract including option years.

1.8 TERM OR ANNUAL CONTRACTS

The Procurement Department shall secure term contracts whenever possible. The essential feature of a term contract is the establishment of a source, or sources of supply, for a specified

commodity or group of related commodities or services for a stipulated price and time period. Contracts offer the economy of large-scale purchasing, although requirements are spread over an extended period of time.

(Ref. Office of the President policy 11.2)

1.9 SUPPLIER FILE AND SELECTION

The Procurement Department has the responsibility to develop and maintain a Supplier file in Workday. Procurement may use suppliers recommended by the requisitioning department and expand the file maintained in Workday as well as other appropriate resources.

1.10 PLANNING WITH DEPARTMENTS

Procurement Staff is available for assistance in planning for the acquisition of needed materials, equipment, or supplies, if the needs of a department are complicated or extensive, or if a major project is being planned.

1.11 PURCHASES FOR INDIVIDUALS

Procurement is not authorized to make purchases for any individual or non-University organization.

1.12 SPLITTING OF ORDERS

The deliberate attempt to split orders, where the purpose is keeping the total cost of each order below bid or quote limits (see 1.7, A-C), and failure to combine orders when practical for the interest of economy, is an evasion of the Florida Statutes and Regulations. The splitting of orders is a prohibited activity and therefore, unlawful. Any related needs that are known or should have been reasonably known at the time of the requirement should be combined into one coherent request for procurement.

1.13 AUTHORIZED EXPENDITURES

An expenditure of funds must be authorized by law and must meet the intent and spirit of the law authorizing the funds.

1.14 PURCHASES OF FOOD PRODUCTS, ROOM RENTAL AND ENTERTAINMENT

University policy prohibits the expenditure of public funds for food products, entertainment, or similar items with the following exceptions:

A. The product is used directly for instruction or research.
B. The expenditure is specifically provided for in the terms of a contract, grant, or donation.
C. Short course or conference fees have been collected for the express purpose of paying for such items.
D. Student functions, when approved by the Vice President, Student Affairs.
E. Direct payment of hotel rooms or long-term rental of residences for individuals may require the prior approval of Procurement, the Controller's Office, or Contracts & Grants when applicable. To make this type of payment, there must be a substantial cost savings to the University above the tax liability, must be of benefit to the University's mission, and must be otherwise authorized by law.
F. As specifically authorized by the grant or budget appropriation.

1.15 MOVING EXPENSES

See https://www.fau.edu/procurement/moving-expenses/ for information about moving expenses.

1.16 ITEMS ON A TEMPORARY, TRIAL, TEST OR LOAN BASIS

Items (including commodities, services, and software) to be used by the University on a temporary, trial, test, or loan by a supplier at no cost must have the prior approval of Procurement and all other required University approvals. A zero-dollar purchase order may be necessary to add loaned items into the University's property record for Risk Management coverage or to memorialize the loan agreement. It is the responsibility of the department to ensure the loaned item is returned to the supplier after the trial period is over. Items used on a temporary or loan basis is not sufficient justification for a non-competitive purchase of the items.

1.17 EXPEDITED PURCHASE ORDERS

Departments are not authorized to place orders directly with suppliers for goods or services. Procurement is the only authorized agent for the University. If a department has an immediate need, Procurement may expedite an order with a supplier after an approved requisition has been received and the proper acquisition method has been selected and executed. In the event that the department receives goods or services prior to the approval of Procurement or issuance of a Purchase Order, an explanation/justification shall be provided with the requisition.

1.18 WEAPONS

Only the University Police Department may purchase firearms and related items for use on the campus. Any department that wants to purchase firearms, replicas, and weapons of any kind for academic or demonstration purposes must acquire written authorization from the University Police Chief and coordinate a storage, safety and accountability plan with the University's Police Department in advance of receipt of the weapons.

1.19 CAPITALIZATION OF COMPUTER SOFTWARE

the cost of computer software (other than for research and development activities) purchased for data systems, computer systems, word processing systems, and other systems requiring operating software and documentation must be capitalized if all of the following criteria are met:

A. Absolute useful life of one year or more, and
B. Owned or having a non-time-limited license for use, and
C. A value of $5,000 or more per unit of software.

Note: Upgrades to software must meet the same criteria as initial purchases for capitalization

1.20 NOTICE WHEN CONSIDERING OUTSOURCING

The Assistant Vice President of Human Resources and the Director of Procurement shall be notified when the outsourcing of university functions, services or other alternative delivery systems are being considered, which may result in the layoff of employees. Such notice shall be sent to the above prior to a general announcement or issuance of requests for proposals.

1.21 AUDIT SERVICES

Except for the annual audits of the financial statements, most audit and audit-related services can be provided internally; however, there may occasionally be a need for these services to be procured from a source outside the University. Appropriate personnel shall work with the Controller and the Inspector General, as required, to determine (1) what audit and audit-related services may best be provided internally versus an outside source, and (2) the level of involvement by the Controller and OIG in obtaining and managing audit and audit-related services from outside the University. Whenever these services are provided by a source outside the University, a copy of the written results shall be provided to the Controller and OIG.

1.22 SYSTEMWIDE CONTRACTS

The Inter-institutional Committee on Purchasing (ICOP) has developed policies and guidelines for establishing system wide contracts and cooperative agreements for use by the universities. ICOP will monitor frequent purchases made by the universities and initiate actions to establish system wide contracts as deemed necessary and appropriate. System-wide contracts and cooperative agreements will be a standing agenda item for all ICOP meetings.

1.23 PROCUREMENT CONTRACTS

A contract for goods and/or services must be submitted for review, approval and signature. Signature authority is delegated by FAU policy 11.1 and designees are listed @ https://www.fau.edu/generalcounsel/signatures/.

All procurement contracts must be signed by the Director or Associate Director of Procurement. Procurement contracts must be approved by the OGC, as well as other designated areas depending on the commodity. (Ref. Office of the President policy 11.2)

FAU contract templates and FAU addenda can be found on the Office of General Counsel web page under Forms & Templates, Procurement. Contract documents for review and approval must be submitted for processing via the contract module of Workday Strategic Sourcing. (see https://www.fau.edu/training/)

2. PROCUREMENT ORGANIZATION

Organizationally the purchasing function within the Procurement department, a division of Financial Affairs reporting to the Vice President of Financial Affairs and CFO, consists of two (2) functional sections.

A. Acquisition and Contract Administration Section - This Section is responsible for the acquisition of all commodities and services which are to be used in the normal operation of the University. Purchasing action commences with the receipt of an authorized requisition form and normally ends when final payment is made to the supplier.
B. Administrative Support and Data Processing Section - This Section provides the administrative support and data processing functions required to support the needs of the Department.

Note: Procurement also maintains offices at the Davie and Harbor Branch campuses to provide services for using departments located in Broward County and at the Harbor Branch Oceanographic Institute (HBOI) in St. Lucie County, respectively.

3. GENERAL MONETARY LEVELS AND LIMITS

A. $25,000 - $74,999: Competitive Quote Level I. Two or more written quotes are required for the acquisition of goods/services in excess of $25,000 unless otherwise exempt.

B. $75,000 - $150,000: Competitive Quote Level II. Three or more written quotes are required for the acquisition of goods/services in excess of $75,000 unless otherwise exempt.

C. $150,000 +: Formal Competition. Formal competitive bids or proposals, (ITB/RFP/ITN) are required on purchases of commodities, contractual services, and deferred payment in excess of $149,999.99 unless otherwise exempt. The selection committee to evaluate competitive bids as the result of the above solicitations should have an odd number of participants (3, 5 or 7), comprised of university employees who are key stakeholders for the goods or services required and are approved by the Director of Procurement. A formal two-party contract may be required for contract and research subcontract services.

Note: Purchases from contracts and negotiated annual price agreements established in the State of Florida, other government entities, other Universities in the State University Systems, or other independent colleges and universities are not subject to further competitive solicitation. Criteria for the use of adopted, aka 'piggyback' contracts will be outlined and justified via a 'piggyback contract adoption checklist' that will be completed by the Purchasing Agent, Contract Manager, or other procurement professional and attached to the contract.

D. Contracts providing for the payment of interest may be bid or financed through the Consolidated Equipment Financing Program (CEFP) administered by the State CFO's Division of Accounting and Auditing. The cost of financing shall be considered in determining the cost of the procurement and the competitive requirements.
   All deferred payment contracts of 5 years (60 months) or more requires the approval of the Board of Governors (BOG). Please refer to Section 9 for further details on lease and deferred payment approvals.
E. For the purposes of determining the bidding threshold the total cost of the requirement may include any options and finance charges, for the life of the contract including option years.
F. Payment policy is defined by Office of the President, University Policy 5.1 @ https://www.fau.edu/policies/documents/files/5-1-prompt-payment.pdf. Payment terms are net 40.

4. EXEMPTIONS FROM COMPETITIVE SEALED BID REQUIREMENTS

Commodities and contractual services that are not subject to the competitive solicitation as listed in section d. on pages 5-6 @ https://www.flbog.edu/wpcontent/uploads/2023/09/18.001-Procurement-Regulation_FINAL.pdf

5. PURCHASING ACTIONS NOT SUBJECT TO COMPETITION

Purchases in excess of the bid threshold must be made based on competitive solicitations with certain exceptions. Purchasing actions that are not subject to the competitive solicitation process include:

A. **Emergency Purchases:** When the President or designee determines, in writing, that the delay due to the competitive solicitation process would cause an immediate danger to the public health, safety or the welfare of person(s), animal(s), the preservation or protection of property, or the continuance of a vital University function, the Procurement Department is permitted to proceed with the procurement of commodities or contractual services without a competitive solicitation. The emergency purchase shall be limited to the purchase of the type of items and quantities needed, or for a time period sufficient to mitigate the immediate threat and shall not be used to meet long-term requirements.

B. **Sole Source Purchases:** The Requesting Department shall certify in writing that a particular commodity or service is available from a single source and Procurement shall electronically post the certification for three working days if the purchase amount is $150,000 or greater.

C. **Cooperative Agreements:** Purchases from contracts and negotiated annual price agreements established by the Federal Government, the State, other states, political subdivisions or entities, colleges, universities, educational cooperatives, or educational consortia are not subject to further competitive solicitation.

D. **Construction Direct Purchase Program (Owner/Contractor Program):** In accordance with BOG Regulation 14.007, Competitive Negotiations, commodities to be incorporated into any public work which are procured by the University in accordance with the requirements of the University's direct purchase program, are not subject to any further competitive solicitation.

E. **Sponsored Research Exemptions (SRE):** Purchases of materials, supplies, equipment, or services for research purposes when the Director of Sponsored Research or designee, certifies that, in a particular instance, it is necessary for the efficient or expeditious prosecution of a research project. SRE certifications shall be posted electronically for three working days.

6. THE PURCHASING CYCLE

A. General

The Workday requisition is the source document in the purchasing cycle. It is used to request purchases of goods/services through the Procurement Department. It provides the cost center to be charged, obtains the approvals for the expenditure and purchase, and provides needed information such as item descriptions, quantity, delivery instructions, and desired delivery date. Complete and correct preparation of the requisition expedites the purchasing process.

B. FAU Purchase Requisition - General Instructions

1. The purchase of needed equipment, materials, or services from off-campus sources shall be initiated in FAU Workday by:
    a. Supplier Website Punchouts from Workday that connect directly to a supplier's website and contracted pricing, creates the requisition in Workday, and issues the Purchase Order electronically directly to the supplier.
    b. Non-catalog Goods and Services Requisition in Workday for those items not available in a Catalog or Punchout. Also used for the creation of a Blanket Purchase Order (Services).
    c. Supplier Catalog requisition for gift card (see Gift Card procedure @ https://www.fau.edu/procurement/accounts-payable/)
2. For further information regarding FAU Workday Procurement, please visit the FAU Procurement website @ https://www.fau.edu/procurement/ and Workday.

C. Purchases Recommended to Be Made with a FAU Credit Card - No Purchase Requisition Required.

1. Conference registrations, college fairs, memberships, dues, periodicals, and application fees if under $5,000.

6.1 PRICE DETERMINATION

A. General

- For requisitioning purposes, departments may obtain quotes, rough cost estimates from catalogs, or use prior orders from suppliers. A copy from a catalog or brochure will assist the Purchasing Agent in obtaining the correct item. When securing supplier estimates,

the requisitioners should be careful to avoid the impression that they are asking for an official bid or placing an order.

- Upon receipt of a requisition, Procurement will determine the method to be used to obtain the actual purchase price and source the requisition into a Purchase Order. Consideration will be given to utilizing contract or cooperative resources in order to ensure minimum costs or to obtain a cost savings.

B. Bids/Proposals/Quotes

- Procurement shall determine when a bid/proposal/quote is obtained for commodities, services, printing and deferred contracts for any item or group of items, except as provided in Section 5.0. The formal bid/proposal threshold is $150,000. For purchases $25,000 up to $150,000, written quotes must be solicited when the commodity or service warrants competitive pricing. (See section 3.0, A-C)
- Procurement may advertise any formal bid publicly when it is deemed to be in the best interest of the University and consistent with the proposed purchase involved. Bids in excess of $150,000 shall be advertised on the My Florida Marketplace Vendor Bid System (VBS). All bids over $150,000 shall be advertised on the Procurement web site. Bids are generally advertised and available to the general public for 30 days unless Procurement determines that the interests of the University require a reduced or extended bid time, or the use of alternative advertisement methods.
- The formal bid process (ITB, RFP, ITN) typically requires 60 – 90 days starting with the customer's draft of the specifications/statement of work until a final award decision is made. This time includes review and approval of draft specifications, statutorily required public notice posting times, 30 days for supplier bid responses, and the proposal evaluation process. (see section 3.0)
- The formal bid process for complex commodities and services will take longer than a standard ITB, RFP or ITN, especially where the award evaluation is comprehensive and negotiations with the Offerors will be conducted.
- The End User Department should contact Procurement as far in advance of any major purchase to allow sufficient time to plan and accommodate the formal bid process.
- When only one quote/bid/proposal is received for the purchase of an item or a group of items in a call for quotes/bids/proposals, the Purchasing Coordinator or Agent shall review the quote/bid/proposal to determine the reasons, if any, why only one quote/bid/proposal was received. If it is determined that a second call for

quotes/bids/proposals would not be in the best interest of the University, the circumstances shall be documented, and the Procurement professional may proceed with the purchase. If it is determined that a second call for quotes/bid/proposals would be in the best interest of the University, the Procurement professional may issue additional quote/bid/proposal solicitations.

- In the event that no quotes, bids, proposals, or responses to Invitations to Negotiate are received in response to a competitive solicitation, the University shall negotiate the purchase at the best possible price at the most favorable terms.
- In accordance with Florida Law, no purchase shall be divided or subdivided in order to circumvent the quote/bid/proposal requirements.
- Procurement, at its sole discretion, shall determine whether a response meets or exceeds specifications.
- The University shall reserve the right to reject any and all bids or proposals and such reservation shall be indicated in all advertising.
- The opportunity to bid on a university contract is a privilege, not a right.
- All contracts for the purchase of commodities or contractual services exceeding the bid threshold shall be awarded pursuant to a competitive solicitation, unless otherwise exempted.
- The purchase of commodities and contractual services shall not be divided to avoid the requirement of competitive solicitation.
- When multiple responses that are equal in all respects are received to a competitive solicitation, Procurement shall give a preference, in order, to responses that include commodities manufactured in the State, businesses with a drug-free workplace program, or the earlier bid/proposal submission in determining the contract award. If these conditions do not exist, or are the equivalent between two or more responses, a coin toss may be used.
- The intended award shall be electronically posted by Procurement for 72 hours which is interpreted as three working days excluding Saturdays, Sundays, and State and University Holidays.
- The contents of Requests for Proposal, Invitations to Bid and Invitations to Negotiate shall be kept confidential by the University until the University provides notice of an intended decision or as otherwise provided in Section 119.071,F.S.

- In the case of extension errors, the extended price (unit price multiplied by the quantity) will be based on the unit price as stated in the Supplier's response.
- When awarding a contract to purchase personal property and services other than printing, by competitive solicitation, a preference shall be provided to suppliers with a principal place of business in Florida as prescribed by BOG Regulation 18.001.

6.2 PURCHASE ORDER

The purchase order initiates a contract by accepting legally the offer made by the supplier. The purchase order terms and conditions are referenced on the University purchase order and available @ https://www.fau.edu/procurement/files/poterms.pdf

6.3 CHANGE ORDER

A. A change order can be issued to modify quantities, increase, or decrease encumbrances, add items, or add additional attachments or information.

B. Departments may initiate requests for change orders in Workday via Create Change Order. Instructions can be found in the Workday Job Aids Library or @ https://www.fau.edu/procurement/files/create-change-order-june-2023.pdf

C. Change orders **should not be issued** to request closure of purchase orders. Please contact purchasing agents directly with PO close requests or e-mail purchasing@fau.edu

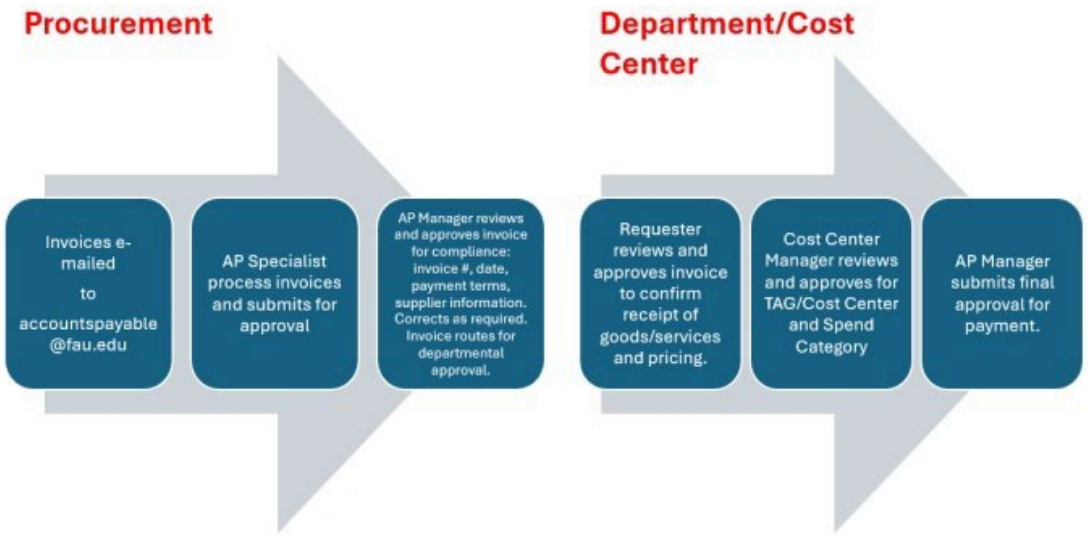
D. Change orders cannot be submitted for punchout purchase orders as this will create a duplicate order.

6.4 RECEIPTS AND MATCHING

A. Invoices are routed in Workday to the requisitioner to acknowledge the goods/services were received and that everything on the invoice is accurate. Once approved fully via the BP hierarchy, the invoice routes back to Procurement for final approval.

B. A match in Workday is defined as the PO to the Invoice –There is a 5% overage tolerance allowed on each line item, not to exceed $50.

C. Workday training for all Procurement business documents and inquiries is available @ https://www.fau.edu/training/workday/



7. COMMUNICATION, MEDIA, AND CREATIVE SERVICES MATERIALS

7.1 PRINTING

A. Definitions

1. Printing - The transfer of an image or images by the use of ink or similar substance from an original image to the final substrate through the process of letterpress, offset lithography, gravure, screen printing, or engraving. Printing shall include the process of and the materials used in binding. Printing shall also include duplicating when used to produce publications.
2. "Duplicating" - The process of reproducing an image or images from an original to a final substrate through the electro photographic, xerographic, laser, or offset process or any combination of these processes, by which an operator can make more than one copy without re-handling the original.

B. The University shall purchase, when economical, recycled paper if and when recycled paper can be obtained that is of adequate quality for the intended purposes.

C. Preference Given Printing Manufactured in Florida - Preference shall be given to bidders located within the state when awarding contracts to have materials printed in accordance with BOG Regulation 18.001.

D. Items to Be Included in Bids - All bid invitations issued by the University for printing shall provide in the bid conditions that all cost for delivery, storage, freight, and packing are to be prepaid by the Supplier, F.O.B. the address or addresses listed on the bid invitation unless otherwise specified.

E. Agreements with Suppliers for Private Publication of Public Information Materials:
    1. The University may enter into agreements to secure the private publication of public information brochures, pamphlets, audiotapes, videotapes, and related materials for distribution without charge to the public.
        a. The University may Enter into agreements with private vendors for the publication or production of such public information materials, by which the costs of publication or production will be borne in whole or in part by the supplier or the supplier agrees to provide additional compensation in return for the right of the supplier to select, sell, and place advertising that publicizes products or services related to and harmonious with the subject matter of the publication.
        b. Retain the right, by agreement, to approve all elements of any advertising placed in such public information materials, including the form and content thereof.
    2. Any public information materials containing advertising of any kind may include a statement providing that the inclusion of advertising in such material does not constitute an endorsement by the University of the products or services so advertised.

F. Information to Be Supplied with Requisition:
    1. Printing requirements should be planned well in advance to permit purchase in compliance with the procedures described above.
    2. Adequate information should appear in the requisition to ensure that the required printing is obtained. The following list of terms may be of assistance in describing the printing desired: type style, type size, color of ink, size of paper, color of paper, weight of paper, number of pages, printing on one or both sides, printing on inside of cover, stapled, stitches, perforated, scored, folded, numbered, padded, packaged.
    3. The requisition should also include the following information: date final copy will be available; date for receipt of proof, if required; date final delivery is required;

point of delivery; person to be contacted in requisitioning department if additional information is required; and any other pertinent information.

4. If samples of similar printing jobs are available, scans of the documents should be attached to the requisition.

7.2 UNIVERSITY PUBLICATIONS POLICY

Acquisition of publications, media services, marketing and printing or duplication services by University Departments and/or individuals shall be pursuant to the procedures set forth by the University's Marketing & Creative Services Department. All printing requirements are subject to the review and approval of Marketing & Creative Services.

7.3 BRAND MANAGEMENT

The development of a brand identity for FAU was a collaboration of faculty, staff, students, and the community. The resulting set of standards and guidelines dictates how the University should be represented in all communications. The Marketing and Creative Services Department has been charged with managing the University's brand through the monitoring and oversight of the visual and editorial identity of the University and its entities. This includes, but is not limited to, overall brand and image representation, logo use, editorial style review and design approval.

To maximize the effectiveness of the brand is important for everyone associated with university activities to make every effort to understand the brand and to adhere to the standards set forth. Any individual responsible for creating communications materials should be familiar with the visual standards manual and the editorial standards. All materials intended for dissemination to non-academic internal and external audiences need prior approval from Marketing and Creative Services.

7.4 TRADEMARK LICENSING

A trademark licensing program gives the University control over its logos and marks, thus, ensuring the quality and consistency of all of the University's merchandise. Any mark, logo, symbol, nickname, letter(s), word(s) or combination of these that can be associated with the University qualifies as a trademark. Any supplier wishing to use the marks, logos and symbols of the University must obtain a trademark license. All trademark products will be considered and

must be approved by Licensing & Marketing. No products will be licensed without the approval of Licensing & Marketing. This ensures all products associated with the University are of high quality and good taste and ensures the non-approval of potentially hazardous items. Failure to obtain a license or approval from Licensing & Marketing will be grounds for the seizure of all non-approved merchandise bearing the University's marks. FAU assumes no financial responsibilities whatsoever to any individual, supplier, department or organization resulting from the ordering, delivering, or acceptance of non-approved products and services that required licensing and trademark approval. For further information, please go to FAU Public Affairs @ https://www.fau.edu/publicaffairs/retail-and-licensing/need-to-purchase-promotional-items/

8. INFORMATION TECHNOLOGY RESOURCES

Information Technology Resources is comprised of computer equipment, facilities, software, and all voice and data assets that comprise the University's network and all the electronic information and communication infrastructure contained therein. The Office of Information Technology (OIT) is responsible to functionally integrate university administrative data systems across the campuses, colleges, departments, and associated organizations. It is important that any software with university-wide applications be reviewed and approved by OIT so that existing software operational activities are not compromised. OIT shall coordinate, direct, and approve the design, purchase, implementation, and utilization of additional university administrative data systems resources across the campuses, colleges, and departments.

8.1 COMMUNICATION EQUIPMENT

Communications Technology Resources are subject to the same rules and regulations as Information Resource Technology.

8.2 PROCEDURES

The following guidelines apply for the purchase of Information Technology (IT) and Communications hardware and software:

A. All Workday requisitions for monitored spend categories related to IT Hardware and Software will automatically route to OIT for approval prior to submission to Procurement.
B. The University has delegated authority to acquire, lease, and use broadcast communications equipment, facilities, and services by FCC licensed broadcast stations.

C. Acquisition

1. Requesting Department Responsibilities -- The requesting department submits a Workday requisition for approval:
    a. If requested, explain the reason for requesting the equipment and its proposed use.
    b. If the equipment is not on State or Cooperative Contract, a complete detailed specification; If the cost of the equipment is expected to exceed the bid threshold and is available from a single source, a Sole Source Certification must be submitted with the requisition form in accordance with the procedures in Section 5.0.
2. For equipment exceeding the bid threshold and not on State or Cooperative Contract, a formal bid solicitation is created for issuance.

8.3 ADDITIONAL PROVISIONS

A. Departments are responsible for adhering to all applicable federal, state, and local laws and regulations and all University regulations and policies, specifically including without limitation those pertaining to the privacy of student records (FERPA), the Health Insurance Portability and Accountability Act (HIPAA), and the Digital Millennium Copyright Act (DMCA)

B. Copyright: Departments are responsible for respecting the copyrights of others and must refrain from unauthorized distribution, downloading and use of copyrighted works.

C. Departments are responsible for compliance with Office of the President Policy 7.8 Reporting Foreign Gifts and Contracts and FL SUS BOG Regulation 9.012 Foreign Influence, and Florida State Statute 287.138. This pertains to the purchase, lease or barter of property or services from Foreign Countries of Concern (FCOC).

9. LEASES AND DEFERRED PAYMENT PURCHASES OF EQUIPMENT OR SOFTWARE

CAPITAL LEASES:

A lease that meets any one the criteria listed below is considered a capital lease. Approval from the FAU Chief Financial Officer or Deputy Chief Financial Officer is required to proceed with a capital lease as there are specific procedures that need to be followed by the BOG and the State of Florida (See the State University System Board of Governors "Debt Management Guidelines" and Chapter 287.063 and 287.064, Florida Statutes).

- The ownership of the asset is shifted from the lessor to the lessee by the end of the lease period.

- The lessee can buy the asset from the lessor at the end of the lease term for a below-market price.
- The period of the lease encompasses at least 75% of the useful life of the asset (and the lease is noncancellable during that time)
- The present value of the minimum lease payments required under the lease is at least 90% of the fair value of the asset at the inception of the lease

OPERATING LEASES:

A lease that does not meet the criteria for a capital lease is an operating lease. Operating leases of equipment or software, regardless of the period of time, are subject to the review and approval of Procurement.

INSTALLMENT SALE AGREEMENTS OR OTHER DEFERRED PAYMENT PURCHASE:

Approval from the FAU Chief Financial Officer or Deputy Chief Financial Officer is required to proceed with an installment sale agreement or other deferred payment purchase as there are specific procedures that need to be followed by the BOG and the State of Florida (See the State University System Board of Governors "Debt Management Guidelines" and Chapter 287.063 and 287.064, Florida Statutes).

REQUESTING DEPARTMENT RESPONSIBILITIES:

The requesting department shall be responsible for submitting a requisition for the lease or installment purchase of equipment to Procurement with the following information:

1. Approval from the FAU Chief Financial Officer or Deputy Chief Financial Officer, if requesting a capital lease, installment sale agreement or other deferred payment purchase.
2. Equipment specifications.
3. Lease versus purchase cost benefit analysis.
4. A statement from the Dean, or appropriate Vice President guaranteeing that funds will be provided during the entire term of the lease.

PROCUREMENT RESPONSIBILITIES:

1. Leases - The lease of equipment is subject to all purchasing and bid procedures contained herein. All leases shall contain a cancellation clause, and an availability of funds clause. Leases may contain renewal options, if appropriate.

2. The Workday business process with inform and require the approval of the General Accounting Department on Requisitions and Purchase Orders issued for leases (operating and capital), installment sale agreements and other deferred payment purchases.

10. RETAIL AND SPONSORSHIP OPPORTUNITIES

The FAU Retail/Sponsorship Committee has been established to review and recommend potential business opportunities. Such opportunities include retail activities that are commercial in nature, sponsorship ventures to serve the students, faculty, staff, alumni and visitors of Florida Atlantic University and to serve as a central entrepreneurial repository of information.

Additionally, it is the responsibility of the committee to make recommendations to the Vice President of Financial Affairs as to the viability and appropriateness of these opportunities before a formal acquisition process begins.

The committee shall be guided by the principle of creating a synergy among the current retail and commercial enterprises at FAU and future opportunities. In doing so, the committee serves to provide a uniform basis for evaluating proposed enterprises. If the committee recommends that a proposal be pursued, it may also recommend the means by which the proposal is advanced. Retail/Sponsorship opportunities shall be vetted through University Business Services (Chairperson) for possible evaluation by committee.

11. TERM CONTRACTS

A. Term contracts are indefinite quantity contracts whereby a contractor agrees to furnish an item(s) or services at a specified price, during a prescribed period of time (such as three, six, nine, or twelve months, or a specified date). The specified period of time or date completes such contracts.

B. Multi-Term Contracts

1. Specified Period - A contract for supplies or services may be entered into for any period of time deemed to be in the best interest of the University provided the terms of the contract and conditions of renewal or extension, if any, are included in the solicitation and funds are available for the first fiscal period at the time of contracting.
2. The performance of the University of any of its obligations under a multi-term contract shall be subject to and contingent upon the availability of funds appropriated by the

Legislature of the State of Florida, the obligation of funds by the prime funding agency, or otherwise lawfully expendable for the purposes of the agreement for the current and future periods.

3. Cancellation Due to Unavailability of Funds in Succeeding Fiscal Periods - When funds are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal period, the order shall be paid only for supplies or services already received under the contract.

C. University Term Contracts - Departments will be contacted if purchases of a recurring nature indicate that a term contract would be advantageous. Information as to specifications and estimated annual usage shall be supplied by the requesting department. Blanket Purchase Agreements may be used to request purchases against these contracts. Departments may request assistance of the Purchasing Department in establishing term contracts.

D. State of Florida Term Contracts - The University may acquire any commodity which is available on any term contract or price agreement executed by the State Department of Management Services when such purchase is most advantageous to the University, with price, quality, performance and other factors considered. Any such purchases by the University are exempt from competitive bid requirements.

E. Cooperative Purchase Contracts - The Procurement Department may evaluate and approve for use contracts awarded by the Federal Government, the State, other states, political subdivisions or entities, colleges, universities, educational cooperatives, or other consortia for the procurement of commodities and contractual services, when it is determined to be cost-effective and in the best interest of the University to make purchases under contracts awarded by such other entities. Including, but not limited to:

- NASPO Value Point
- E&I Educational Cooperative
- Sourcewell
- Omnia Partnerships
- NPP.GOV
- TIPS-USA
- Choice Partners National Purchasing Cooperative
- Pavilion
- Muckrock Contracts

- FL DMS State Contracts

12. SPECIAL PROCEDURES

This section contains Special Procedures of the Procurement Department.

12.1 BLANKET PURCHASE ORDERS:

A. General

Blanket Purchase Orders are a method of filling recurring needs for supplies or services, for time periods (usually one fiscal year), or for unknown quantities required, by establishing open accounts with qualified suppliers. Blanket PO's are designed to expedite the acquisition of urgently, and/or frequently, needed supplies or services and to reduce administrative costs by eliminating the need for issuing individual purchase orders. The use of this type of purchase order, requisitioned on services payline in Workday allows for the payment of multiple invoices of various amounts, up to the value of the Blanket PO. On Blanket Orders between $25,000 and $149,999, if no individual purchase is over $25,000 additional quotes may be waived by Procurement. It may be impractical to obtain a quote for certain Blanket Orders, including ones for suppliers who have a large catalog of items or when we are not certain exactly what products/services will be purchased during the time period indicated on the Blanket Order.

B. Limitation on Use - A Blanket Purchase Order should NOT be used when:

1. The aggregate monetary value will exceed the formal competitive bid threshold for any one type of item or service in any twelve-month period unless a bid, qualifying consortium or piggyback/adopted arrangement/contract is referenced.
2. The purchases are for capital (property > $10,000) items and assets; or
3. The term is for longer than one fiscal year: or
4. The term will cross fiscal years utilizing annually appropriated funds or for a period longer than the funding authorization (grant, aux, and local funds)
5. Blankets should not be used for Suppliers that are on a Workday Punchout catalog. Orders should be placed individually by selecting the specific items needed from the Punchout catalog.

C. Orders Against Blanket Purchase Orders - Orders against Blankets may be made verbally by an individual authorized to place orders against the agreement. When placing an

order, the individual should identify himself/herself and give the applicable purchase order number. The corresponding blanket purchase order must appear on the Supplier invoice(s).

D. Funds Increase/Decrease - The obligation (encumbrance) of a Blanket Purchase Order may be increased or decreased by submitting a Change Order. (See Section 6.3 above.)
E. Termination of Blanket Order - The agreement may be terminated by contacting the purchasing agent by phone or e-mail, or via e-mail to purchasing@fau.edu. The order may be unilaterally terminated by the Procurement Department for misuse or failure to follow the procedures set forth herein.

12.2 BLANKET MAINTENANCE OR SERVICE AGREEMENT

Requisitions for maintenance or service agreements should include the following information:

A. Location of machine and name of contact person;
B. Name brand, model number, and serial number of equipment;
C. Beginning and ending dates of maintenance period;
D. The actual maintenance agreement or quote.

Please note that the requesting department is not authorized to sign and approve supplier maintenance agreements. All executed agreements should be submitted with the requisition and will need review and approval by General Counsel and the signature of the Director or Associate Director of Procurement.

12.3 CONTRACTUAL AGREEMENTS

A. Contractual services are defined as the rendering of a contractor of its time and effort rather than furnishing specific commodities. This definition applies to individuals who are not performing the duties of an authorized position. OPS employment is not considered a contractual service, nor can such actions be processed in Procurement. The written agreement for contractual services shall be signed by all parties prior to the rendering of any service. For the purposes of this section, Construction and Insurance are not considered services.
B. Requirement for Agreements – Unless otherwise exempted, all contractual services in excess of the bid threshold shall be evidenced by a written agreement embodying all

provisions and conditions of such services. A purchase order may be used in lieu of a separate contract agreement.

The terms and conditions of an agreement should be stated clearly and unambiguously in order that any person would have no difficulty in determining that the precise duties and obligations undertaken by the University are not in violation of any of the Laws of the State Florida relative to the expenditure of funds.

At the discretion of Procurement, a contractual agreement may be required for supply items, particularly when the acquisition involves: a term contract, the furnishing of supplies with significant service and installation costs, the production of items from design or performance specifications, research and development equipment, high-value/ unique/non-standard supplies and equipment, long lead time production items, or agreements involving partial payment schedules or definitive project phases.

Agreements may be necessary even for purchases less than the bid threshold when:

1. The requirement for an agreement is prescribed by a commanding authority, such as grant subcontracts.
2. Acquisitions where an agreement is necessary to protect the University's best interests.
3. Complex service contracts to establish the payment method, payment schedule, contract deliverables, or performance standards.
4. Required by the contractor.

C. Only university personnel specifically delegated the authority, in writing, by the President are authorized to sign agreements and financially commit the University within the limits of their delegation in accordance with University Policy 11.1 - Signature Authority @ https://www.fau.edu/generalcounsel/signatures/ No department or individual, unless specifically delegated so, may sign any agreement, or represent in any manner whatsoever to an individual or business that they possess the authority to bind the University. All agreements must be signed by the person with the delegated authority. All agreements are subject to legal review and approval by General Counsel prior to signature, except for those specific agreements, conditions, and circumstances assigned to the Procurement department.

D. The approval of any contract or agreement by General Counsel or an authorized signatory does not absolve nor exempt the Using Department from full and satisfactory compliance with the purchasing requirements, especially adherence to the competitive thresholds.

All contracts and agreements should be coordinated with the Procurement Department for compliance prior to review by General Counsel or signature by an authorized person.

E. Office of General Counsel Procurement related Addenda and Contract Templates are available @ https://www.fau.edu/generalcounsel/procurement/

12.4 ORGANIZATIONAL MEMBERSHIPS & PROFESSIONAL LICENSES

A. In accordance with Florida Statutes 119.01(3), if public funds are expended for the payment of dues or membership contributions for any person, corporation, foundation, trust, association, group, or other organization, all the financial, business, and membership records of that person, corporation, foundation, trust, association, group, or other organization which pertain to the public agency are public records and subject to the provisions of s. 119.07.

B. Professional Licenses may be paid with state funds if FAU requires the particular license for the execution of a university mission function and the individual's job position requires the license.

   For example, If FAU hires a position in accounting where a CPA license is required to perform required duties of the office then the license or renewal fees may be paid by the University.

   If the position was hired as CPA preferred, or if it simply wasn't a requirement at all then any professional licensing fees would be the responsibility of the individual.

C. A "benefit to the state" shall be included on each requisition for memberships and professional licenses.

12.5 LEASES FOR REAL PROPERTY

Leases of real property, office space, and storage units require advanced review and approval from the Office of Space Utilization and Analysis (OSUA) in accordance with the policies and procedures established by OSUA.

The following general guidelines apply:

1. Leases of space less than 5,000 sq.ft. do not require a formal bid regardless of total cost.
2. Leases for space less than 500 sq.ft. or for a term less than one year are considered rentals and do not require OSUA approval.

3. Leases in FAU's affiliate Research and Development Parks must be certified and approved by the President and the Board of Trustees (BOT), as required, as serving the best interests of the University and that exemption from the competitive bid process would not be detrimental to the institution.

4. Leases in Research Parks must comply with Florida Board of Governor's (BOG) Regulation 17.001, Leasing Authority.

5. Florida Atlantic University utilizes the following procedures when executing leases for real property:

   a. Before initiating the search for, or prior to the leasing of space, buildings or any portions thereof, approval must be first obtained by the requesting department from the Office of Space Utilization and Analysis (OSUA).
   b. Lease terms and conditions other than the University's Standard Lease agreement shall be reviewed as to form and legality by the University Attorney. The University President, the Director of Procurement, or authorized signatories with delegated authority, shall execute all leases.
   c. Nothing in these procedures shall be interpreted as circumventing the provisions of Florida Statutes as it relates to facilities for the handicapped.
   d. All leased space shall comply with all applicable codes and the fire safety standards of the State Fire Marshal. All renovations or modifications of leased space must be approved for code compliance by OSUA prior to occupancy.

6. The University may not enter into a lease for 5,000 square feet or more of space in a privately-owned building except upon advertisement for and receipt of competitive bids/proposals. The University may not enter into, within any 12-month period, more than one lease for space of a total of 5,000 square feet or more in the same privately-owned facility or complex except upon the solicitation of competitive bids/proposals.

7. Competitive bidding shall not be required for leases of space of 5,000 or more square feet in a privately owned building where such leases:

   a. are renewals of existing leases,
   b. have a term of less than 21 consecutive days,
   c. are for nominal or no consideration,
   d. are for the purpose of providing care and living space for people,

e. are extensions of an existing lease of 5,000 square feet or more, provided that such extensions are in the best interest of the University and are not for a period exceeding 11 months. If at the end of the period granted by the extension(s), the

f. are specialized educational facilities (excluding classrooms), or

g. are otherwise exempt from the competitive bid requirements.

8. The University may establish a rate it will pay for leased space based on average rental rates in the local area for facilities of use.

9. Employee Housing. If the University enters into a lease agreement with a landlord, and such lease will be providing any University employee with housing accommodations, that University employee agrees to the following terms and conditions by accepting such accommodations.

a. Assumption. Excluding the obligation to pay rent and/or security deposits, Employee assumes all other obligations for the performance of all the terms, conditions, and obligations on the University's part as tenant contemplated in the lease, specifically including the obligation to pay any other fees or charges which may be owed to or assessed by the Landlord (e.g., animal fees; damage or repair charges; cleaning/ maintenance fees; lost key replacement fees; early termination charges; holdover rent; etc.). To be clear, the University retains all obligations to pay rent and/or security deposits under the lease as tenant to the landlord, if any.

b. Condition of Premises. No representations or warranties have been made by the University regarding the condition of the premises.

c. Participation. Employee remains subject to Employee's employment contract with the University, if any, which may contain certain obligations and conditions that will continue to apply during Employee's use of the premises, as well as all applicable federal, state, or University laws, rules, regulations, policies, and procedures. If the Employee is using the housing during Employee's participation in any specific program, and withdraws from, is suspended, dismissed, or fails to enroll in, the program, or is otherwise separated from employment with the University, the Employee will be held financially responsible for the full amount of the remainder of the lease.

d. Renter's Insurance. The University is not liable for damage to or loss of Employee's personal property because of fire, theft, or any other cause whatsoever. The University recommends that the Employee procure renter's insurance.

e. Taxable Benefit. Employee acknowledges that the University's payment of the rent may be considered taxable income to the Employee, subject to the University's policies.

10. Disclosure Statements - Private Entities, Public Officials.
    a. A statement by the owner providing for full disclosure of the names and the extent of interest of the owners holding 4% or more interest in any privately owned property leased to the state or in the entity holding title to the property, shall be secured for all new leases, renewal leases, modifications to approved leases and the notification of renewal under an existing lease option.
    b. A statement by the owner providing for full disclosure of the names of all public officials, agents, or employees holding any interest in any privately owned property leased to the state, or in the entity holding title to the property, and the nature and extent of their interest, shall be secured for all new leases, renewal leases, modifications to approved leases, and notifications of renewal under a lease option.
    c. It is not necessary to make disclosure of any beneficial interest which is represented by stock in any corporation registered with the Securities and Exchange Commission or registered pursuant to Chapter 517, which stock is for sale to the general public. A statement certifying the registration shall be provided by the lessor.
    d. It is not necessary to make disclosure of any leasehold interest in property located outside the territorial boundaries of the United States.
    e. Each subsequent transaction pertaining to a lease for which a disclosure statement has been provided, may be accompanied by a lessor's affidavit that the previous disclosure statement submitted is still valid, if the interest held or individuals concerned has not changed.

12.6 SUPPLIER INSURANCE REQUIREMENTS

A. All suppliers doing business with FAU should be business entities properly licensed, insured and registered as required by law and authorized to do business in the State of Florida. Unless otherwise specified, all suppliers must possess the required insurance coverages as specified by the Florida Statutes including Workers Compensation, Automobile, and Professional/General Liability.

B. Additional insurance coverage types and increased insurance limits will be assessed on a case-by-case basis as may be determined by the department, the University's Risk

Manager, and the Procurement Department based on the facets of the goods/services being procured.

C. Verification of insurance coverage is handled on an exception basis, unless otherwise specified or required. When insurance certificates or verification is required, it will be requested and maintained by the requesting department. Certificates not specifically requested but mailed to FAU by insurance providers may be sent to Procurement for general filing.

13. TRADE-IN OF UNIVERSITY-OWNED PROPERTY

I. Departments wishing to trade-in equipment must submit a requisition for the commodity to be purchased and include the following information about the equipment to be traded: name, model number, serial number, property or decal number, date originally purchased, and requisition cost. An approved Property Accountability Form (PROP1) authorizing disposal by trade-in should accompany the requisition. (see Property Policy @ https://www.fau.edu/controllers-office/documents/property/property-manual-7 2014.pdf)

II. The Procurement Department obtains a firm price for the equipment that is to be traded following established purchasing procedures.

III. To determine the appropriate bid/quote level requirements involving trade-in property, the value of the trade-in property and the price of any new equipment is combined together (not deducted) to calculate the net total value of the transaction.

13.1 REPAIR AND MAINTENANCE OF UNIVERSITY PROPERTY

A. Maintenance and Repair Procedures

1. General Office Equipment

   a. Office Equipment: The requesting department shall initiate a requisition for the maintenance and repair of general office equipment when the department determines that it is economically feasible to repair the item in lieu of replacement.

   b. Audio-Visual Equipment: The requesting department shall contact Instructional Technologies for maintenance on televisions, VCRs, DVDs, stereo, data projectors,

and other like equipment. In the event that Learning Resources is unable to repair the asset and the item is repairable, the requesting department may initiate a requisition for maintenance/repair of the item.

c. Computer Hardware: All maintenance and repair requests for computer hardware and peripherals shall first be submitted to the OIT Help Desk
d. Other General Office Equipment: Contact the Procurement Department for instructions.

2. Special Purpose Equipment - A requisition shall be initiated when special purpose equipment is in need of a preventative maintenance inspection or repair services. The requisition should indicate the following:
   a. Manufacturer of equipment;
   b. Serial and model number;
   c. University property decal number;
   d. Name, location, and telephone number of primary operator;
   e. Type of service needed - preventative maintenance inspection or repair services. When repair service is needed, state how equipment malfunction was observed
   f. The proposed maintenance agreement, if available. Please note that the requesting department is not authorized to sign and approve supplier maintenance agreements. All agreements should be submitted with the requisition and will need review and approval by General Counsel and the signature of the Procurement Director or their designee.
3. A purchase order will be placed with the selected maintenance Supplier, typically for the basic maintenance inspection. When the total cost of the repair or the total cost necessary to cover all known charges for parts, inspection and evaluation services is determined a Change Order shall be submitted for the additional costs upon determination of total costs.
4. If it is determined that the equipment is beyond economical repair the using department shall contact the Property Management Department to initiate the survey of the property to dispose of the asset.

B. Excess Serviceable Property: Serviceable property which no longer meets the needs of the department responsible for its custody should be permanently transferred to the Property Management Department so that it can be offered to other departments or

otherwise disposed of in accordance with the University's property management procedures.

14. LIMITED AND SPECIAL PURCHASES

14.1 ACQUISITION OF MOTOR VEHICLES, WATERCRAFT OR AIRCRAFT

A. Requesting Department Responsibilities - The requesting department shall submit a requisition complete with State Contract or Cooperative Contract number, specification/line, vehicle color, vehicle specification, trim package, and other features including type of tag (normally College tag).

B. Requisitions must be submitted with a completed FAU vehicle justification form (Exhibit B., pg.50) and will route though the Workday business process as assigned. The asset number will be recorded in the comments section of the requisition by the appropriate department.

C. All vehicles must be delivered directly to the University. The title and all related information must be supplied to the FAU Property Manager in the Controller's Office.

D. University Vehicles will comply with University Communications, Visual Standards Manual, and shall comply with the vehicle colors authorized and utilize only approved trademarks and logos.

E. In accordance with the Energy Policy Act of 2005 (EPAct 2005, as amended) @ https://www.fau.edu/procurement/files/e85policy.pdf , Florida Atlantic University has been mandated to purchase "E85" compliant flex-fuel vehicles. This is a federally mandated program which applies to Florida public entities in specified metropolitan regions and extends to all FAU campuses. Vehicles purchased for the University must comply with this mandate.

F. At this time, commercially available Hybrid models are ineligible to earn credits under the standard compliance per the Energy Policy Act.

G. Low Speed Electric Vehicle (Golf Cart) Per University Policy 4.1.6, when acquiring a Low Speed Electric Vehicle, new or used, the vehicle must meet the safety requirements stated in the policy. To ensure that all the safety requirements are met prior to the acquisition, the department must submit a Vehicle Approval & Registration Form with the

Purchase Requisition and have obtained the necessary authorization in order to have the vehicle acquisition approved by the Purchasing Department. More information about the Policy and the Requirements: http://www.fau.edu/facilities/ehs/golfcarts/index.ph

14.2 ACQUISITION OF TOXIC SUBSTANCES

All orders for toxic substances should contain a statement for the supplier to furnish the material safety data sheet (MSDS) with each shipment of toxic materials. The MSDS sheets shall be forwarded to Environmental Health and Safety (EH&S) for distribution to the appropriate departments.

14.3 ACQUISITION OF WEAPONS AND EXPLOSIVES

Only the University Police Department may purchase firearms, explosives, ammunition and related items for use on the campus. Any department that desires to purchase firearms or replica weapons for academic or demonstration purposes must acquire written authorization from the University Police Chief and comply with all prescribed safety, security and accountability procedures for the materials.

14.4 ACQUISITION OF RADIOACTIVE MATERIALS

Radioactive materials are controlled by the University's Radiological Safety Officer (RSO) for Environmental Health and Safety (EH&S). Approvals for the purchase of radioactive materials must be received by the RSO in advance. Only the RSO may receive and transport radioactive substances. The using department must comply with all University guidelines and directives regarding the safety, storage and disposal of these materials.

14.5 ACQUISITION OF CONTROLLED AND MEDICAL GRADE SUBSTANCES

Controlled and medical grade substances such as chemicals and gases may only be ordered by licensed personnel and with the approval of the Division of Research. The requesting department must comply with all University guidelines and directives regarding the safety, storage and disposal of these materials.

14.6 ACQUISITION OF LIVE ANIMALS

Live animals may only be ordered with the approval of the Division of Research, Veterinary Services. The requesting department must comply with all University guidelines and directives regarding the safety, and handling of live animals.

14.7 ACQUISITION OF PESTICIDES AND HAZARDOUS MATERIALS

All hazardous materials and pesticides are controlled by the Environmental Health and Safety (EH&S) department. Only EH&S personnel can receive, transport and dispose of such material. The requesting department must comply with all University guidelines and directives regarding the safety, storage and disposal of Hazmat.

14.8 ACQUISITION OF CONSTRUCTION AND RENOVATION SERVICES

All construction projects, renovations, and alterations to buildings, offices and land require approval from Design and Construction Services. Approval is required for any alteration to a structure, land, or room including renovations for shelving, wall mountings, carpeting, and any ceiling mount such as data projectors and TVs.

14.9 RECEIPT OF UNSOLICITED GOODS

Florida Statutes 570.545 states that when unsolicited goods are delivered, the person is not obligated to return the goods to the sender. However, to assist with the identification of misdirected legitimate purchases or the potential liability of a supplier employing unfair business practices, University personnel are requested to contact the Procurement Department anytime goods or services are received that were not requested by the Using Department.

14.10 INSURANCE

The University's Risk Management Program is managed by Environmental Health & Safety's (EH&S) Risk Manager. Insurance coverage for existing university property, the purchase of new insurance, claims, and other risk services both under the State's Risk Trust Fund and outside commercial carriers should first be coordinated through the EH&S Risk Manager. This includes

coverage for specialty items like high value lab equipment, art, and marine insurance. Coverage for special events, transit shipping and other insurance as may be required for the use of off-campus facilities also require advanced coordination through the University's Risk Management Program.

14.11 MEDICAL CONTRACTORS AND INSURANCE

The purchase of medical insurance or coverage of any type, professional liability insurance for medically related FAU (faculty, staff, and student) service providers, and the hiring of medical professionals to dispense care or treatment to anyone, are prohibited expenditures unless first validated and approved by the General Counsel's Office and the University's Risk Manager in Environmental Health & Safety's (EH&S) for compliance in accordance with FAU's Self Insurance Program (SIP).

14.12 GIFT CARDS

The purchase of gift cards is limited to research participant use only with approved funds and an IRB approval. Qualifying Gift Card purchases may be ordered on a purchase requisition using FAU preferred suppliers. Grant funded gift card purchases will be processed in accordance with Division of Research Policy 10.5.1: https://fau.sharepoint.com/sites/research/Shared%20Documents/webfiles/research-accounting/10.5.1-gift-card-policy.pdf It is not permissible to use P-Cards for the purchase of gift cards. Gift cards must be shipped to the Controller's Office where they will be secured, until the Requester can arrange for pick-up.

Gift Cards orders must reference the PO number and be Shipped To:

Florida Atlantic University

Division of Financial Affairs

Procurement Department

AD10 Room 149

777 Glades Road, Boca Raton, FL 33431-0991

14.13 DRONES

The purchase of drones and other remote aircraft and vehicle systems are monitored and approved by Environmental Health and Safety.

14.14 LEGAL SERVICES

Legal services or the hiring of licensed legal practitioners for services in any capacity must be approved by the University's General Counsel.

14.15 AUDIT SERVICES AND INSPECTION STUDIES

The purchase of auditing services or inspection services must be approved by the University Controller and the Inspector General.

14.16 INVESTIGATIVE SERVICES

Police and other investigative services must be approved by the University's Police Department.

14.17 SECURITY, ALARM, MONITORING, CAMERA, AND CARD ACCESS SYSTEMS

All security, alarm, monitoring, camera, and card access systems must be approved by the University's Police Department (Public Safety), Office of Information Technology, and Design and Construction Services. This approval is required for all systems including wireless systems and those systems operating on FAU's network regardless of the location and intent of the system. The University Police Department must have complete access to the system.

15. SUPPLIER DEVELOPMENT

15.1 AUTHORITY

Florida Atlantic University is committed to providing fair and equal opportunities for all businesses to compete in the procurement process. FAU does not reserve any procurement nor provide price preferences to any supplier on acquisition matters.

The University continues its strong commitment to assist and encourage the growth of Florida and other small businesses by removing unnecessary burdens in University procurements and promoting an atmosphere conducive to the development of these enterprises towards a beneficial business relationship with the University and other political entities.

15.2 OBJECTIVE

FAU has established, to the maximum extent possible and practical, uniform purchasing procedures for full and open competition regarding the acquisition of commodities, contractual services, and minor construction.

15.3 CERTIFICATION

Certifications of small business enterprises granted by federal, state and local entities, and business organizations should be indicated and included with the submission of the Supplier Application available @ https://www.fau.edu/procurement/vendorinfo/new-supplier-information/ and will be accepted by the University and recorded in Workday. Reference @ FL DMS Office of Suppler Development @ dms.myflorida.com

16. SOCIAL SECURITY NUMBER COLLECTION & USAGE

FAU's Purchasing Department may collect social security numbers (SSNs) only as specifically authorized by law or if imperative for the performance of duties and responsibilities as prescribed by law. SSNs may be required to facilitate vendor payments, authenticate identity, and the issuance of honoraria to individuals. SSNs are necessary for compliance with Financial Information Reporting, and Miscellaneous Income (1099) reporting to the IRS. SSNs may also be required for ACH (direct deposit) Forms to verify against bank records. FAU takes appropriate measures to secure SSNs from unauthorized access and does not release SSNs to other parties except as authorized by law or as necessary for the fulfillment of our duties and responsibilities, and will only be required for the legitimate business purposes as outlined below:

Accounts Payable Checklist: Employee vs. Independent Contractor Status (aka Consulting & Professional Services Worksheet)

Authorized by 26 USC §§3402(f)(2)(A), 1441, 6109, 6050S and §119.071(5), F.S.

Vendor Application Form, and as required by the IRS Form W-9 and the ACH Enrollment Form contained therein.

Authorized by 26 USC §§3402, 3406, 1441, 6109 and §119.071(5), F.S.

Exhibit A

UNIVERSITY VEHICLE JUSTIFCATION FORM

Existing Vehicle ☐ New Vehicle ☐

SECTION 1: Department Information			
Department Name:		Department Head Name:	Email Address:
		Office Phone#:	Location of Vehicle:
Primary User:		Primary User's Phone Number:	Primary User's Email Address:
SECTION 2: Vehicle Information			
Vehicle Make:		Vehicle Model:	Vehicle Year:
Vehicle T-Number Existing Vehicle:		Annual Mileage Existing Vehicle:	Annual Mileage Estimate for NEW Vehicle:
SECTION 3: Justification (check all that apply and add the appropriate description)			

☐ Job function can only be provided with a vehicle (e.g. Public Safety, student compliance, constant intra- and intercampus transportation)

☐ Job function requires constant use of vehicle for the execution of a grant or use as a direct student teaching tool

☐ Job function requires constant transport of the University Community and heavy or dangerous materials

☐ Job function requires utility vehicles to cultivate donor and external relations or student services like security and accommodation to disabilities

Describe how the use of the vehicle meets the justification criteria selected:

SECTION 4: Approvals		
Department	**Division of Research**	**Executive**
Print Dean/Director/Vice President Name:	Authorized Representative Name:	CFO/Provost:
Signature:	Signature:	Signature:
Date:	Date:	Date:

Exhibit B

FLORIDA ATLANTIC UNIVERSITY
PIGGYBACK CHECKLIST – REQUIRED DOCUMENTATION

Definition: *Piggyback Contracting is "a form of intergovernmental cooperative purchasing in which an entity will be extended the same pricing and terms of a contract entered into by another entity. Generally, a larger entity will competitively award a contract that will include language allowing for other entities to utilize the contract which may be to their advantage in terms of pricing, thereby gaining economies of scale that they normally would not receive if they competed on their own." – NIGP*

To assist in the performance of your review, and to determine if a situation exists where you may be able to participate in the piggybacking (assignment) of an existing agreement, the following considerations are provided. **Attach or save all documentation substantiating your determination in the appropriate file.**

		Response	
1.	Have you obtained a copy of the contract and the solicitation document, including the specifications?	Yes	No
2.	Is the Original Agreement current and active?	Yes	No
3.	Have you obtained a copy of the awarded firms' submittal/response, including pricing?	Yes	No
4.	Is the Procurement Method (i.e. negotiations vs. bid) used allowable by Florida Statutes and FAU regulation & guidelines?	Yes	No
5.	Was a cost or price analysis performed by the original contracting agency documenting the reasonableness of the price?	Yes	No
6.	Was there a proper evaluation of the bids or proposals?	Yes	No
7.	If you will require changes to the deliverables, are they "within the scope" of the contract? Ensure they are not "cardinal changes."	Yes	No

All documentation that was obtained and verified is to be saved along with this completed form.

Solicitation/Contract Number:

Contract Expiration Date:

Contracting Entity (State, City, etc):

Cooperative Name (if applicable):

Contractor/Supplier Name:

Checklist Completed by:

Date Completed:

Notes: