

**FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED AMENDED REGULATION**

DATE: June 23, 2023

REGULATION NUMBER AND TITLE: 14.004, Public Announcement Requirements

SUMMARY:

Regulation 14.004, Public Announcement Requirements, is proposed to be amended and renumbered as 14.007 to provide clarity and conciseness, delete redundancies, and capitalize defined terms.

FULL TEXT OF THE REGULATION IS INCLUDED WITH THIS NOTICE.

AUTHORITY TO PROPOSE REGULATION(S): Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

THE BOARD OF GOVERNORS' OFFICIAL INITIATING THE PROPOSED REGULATION: Kevin Pichard, Director, Finance and Facilities

COMMENTS REGARDING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation on which you are commenting:

General Counsel, Board of Governors, State University System, 200 W. College Avenue, Suite 216, Tallahassee, Florida 32301, (850) 245-0466 (phone), (850) 245-9685 (fax), or generalcounsel@flbog.edu.

14.0047 Public Announcement Requirements

(1) The university shall publicly announce, in a uniform and consistent manner, each occasion when the following ~~professional services, construction management services or design-build~~ services are required, or as may be required by Florida Statutes:

a) Professional ~~s~~Services for a project with estimated construction costs exceeding \$250,000; Professional Services for planning or study activity when the fee will exceed \$50,000; or Construction Management Services. However, a university may use a continuing contract for these activities~~or one of the other procurement methods provided in this regulation~~.

~~b) Continuing e~~Contracts for ~~p~~Professional ~~s~~Services, ~~or continuing contracts for construction management services~~. There is no limit on the total value of the continuing contract, but ~~no single project, as specified in the contract, may exceed \$4,000,000~~.

~~b)c) _____~~ Continuing Contracts for Construction Management Services

~~e) Professional services for development of design criteria for design-build projects. (The firm selected to develop the design criteria package shall not be eligible to render services under the Design-Build Contract).~~

d) Design-~~b~~Build ~~s~~Services. Note, the Professional Services firm selected to develop a design-build criteria package shall not be eligible to render services under the design-build contract.

~~e) Professional services for planning or study activity when the fee will exceed \$50,000. However, a university may use a continuing contract for this activity.~~

~~f) Continuing contracts for professional services for planning or study activity. There is no limit on the total value of the continuing contract, but no single study or plan, as specified in the contract, may exceed \$500,000.~~

(2) The announcement shall provide a general description of the project(s) and the selection process.

(3) No public announcement is required if university personnel are performing these services instead of an external party.

Authority: Section 7(d), Art. IX, Fla. Const., History—Formerly 6C-14.004, 12-30-79, Amended 8-11-85, 1-24-89, 10-17-89, 1-13-99, Amended and Renumbered as 14.004, 3-27-08, Amended 9-24-09, Amended 1-27-21, Amended and Renumbered 14.007 xx-xx-23.