

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
Facilities Committee
June 22, 2023**

SUBJECT: Public Notice of Intent to Adopt Board of Governors Regulation 14.006,
Educational Facilities Contracting and Construction Techniques

PROPOSED COMMITTEE ACTION

Approved the Public Notice of Intent to Adopt Regulation 14.006, Educational Facilities Contracting and Construction Techniques.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution, Regulation Development Procedures

BACKGROUND INFORMATION

FY22-23 SB 7026 was signed into law last month. It provides, among other things, that the Board of Governors will develop regulations relating to procedures for contracting for professional services and fixed capital outlay projects no later than October 1, 2023.

The draft new regulation is attached, for reference. The draft language borrows from Section 1013.45, Florida Statutes, but omits the references therein to sections 287.055 and 255.103 (i.e., the "CCNA" statutes). As such, the proposed regulation reiterates university boards of trustees' responsibility for prescribing the procurement process, as cited in current statute, while enhancing university control and flexibility by removing the statutory construct currently dictating negotiation procedures.

The proposed draft was provided to the universities for feedback, and modifications have been made as appropriate.

Supporting Documentation Included:

Draft Regulation 14.006

Facilitators/Presenters:

Mr. Kevin Pichard