

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**
September 8, 2023

SUBJECT: Public Notice of Approval of Adoption of Board of Governors Regulation 14.006, Educational Facilities Contracting and Construction Techniques

PROPOSED BOARD ACTION

Approve the Public Notice of Approval of Adoption of Board of Governors 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, providing for, among other things, 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 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.

At the June 22, 2023 meeting, the Board approved the Public Notice of Intent to Amend Regulation 14.006. Notice was subsequently posted for public review and comment. Two comments were received from professional services firms and subsequently reviewed by Board staff; said review did not result in revisions to the proposed Regulation.

Supporting Documentation Included:

Regulation 14.006