

**FLORIDA BOARD OF GOVERNORS  
NOTICE OF APPROVED REGULATION AND AMENDMENTS**

Date: February 6, 2008

**REGULATION TITLES AND NUMBERS:** 18.035 Definitions

**SUMMARY:** Repealed

**FULL TEXT OF THE REGULATION:** The full text of the proposed amended regulation is posted on BOG's Website at [www.flbog.org](http://www.flbog.org). The full text of the existing regulation is posted on BOG's Website at [www.flbog.org/BOG\\_regs](http://www.flbog.org/BOG_regs). In addition, the full text of the regulation is available upon request to the Office of the Chancellor, which can be contacted at (850) 245-0466.

**AUTHORITY TO ADOPT/ AMEND/ REPEAL REGULATION:** Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

**BOARD OF GOVERNORS' OFFICIAL INITIATING ADOPTION/ AMENDMENT/  
REPEAL OF REGULATIONS:**

Chris Kinsley, Director, Finance and Facilities

**COMMENTS REGARDING ADOPTION/ AMENDMENT/ REPEAL OF REGULATIONS  
SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO  
THE CONTACT PERSON IDENTIFIED BELOW.** The comments must identify the regulation(s) on which you are commenting.

**THE PERSON TO BE CONTACTED REGARDING ADOPTION/ AMENDMENT/  
REPEAL OF REGULATION IS:** Vikki R. Shirley, General Counsel, Board of Governors,  
State University System 325 W. Gaines Street, Tallahassee, Florida 32399, (850) 245-  
0466 (phone), (850) 245-9685 (fax), [generalcounsel@flbog.org](mailto:generalcounsel@flbog.org).

## Repealed

### 6C-18.035 Definitions.

~~(1) 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, craft arts, industrial design, costume design, fashion design, motion pictures, television, radio or tape and sound recording or in any other related field.~~

~~(2) Chancellor — The chief administrative officer of the Board of Regents.~~

~~(3) Commodity — 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 Institution. "Commodity" also includes interest on deferred payment contracts entered into by the Institution for the purchase of other commodities. Printing of publications shall be considered a commodity when let upon contract in accordance with Section 283.33, F.S.~~

~~(4) Competitive Bid/Proposal — The response submitted to an Invitation to Bid, Invitation to Negotiate or a Request for Proposal by responsive and qualified bidders or offerors.~~

~~(5) Competitive Negotiation — The establishment of a contract through deliberation, discussion or conference on the specifications, terms and conditions of a proposed agreement.~~

~~(6) Competitive Solicitation — An Invitation to Bid, Request for Proposal or Invitation to Negotiate to competitively select a contractor.~~

~~(7) Contractor/Vendor — A person or firm who contracts to sell commodities or contractual services to Institutions.~~

~~(8) 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. "Contractual service" does not include labor or materials for the construction, renovation, repair or demolition of facilities entered into pursuant to Chapter 255, F.S.~~

~~(9) Extension — An increase in the time allowed for the contract period due to circumstances for which neither party is at fault.~~

~~(10) Independent Contractor — A person or firm who provides a service to an Institution, but does not have any employment or other relationship or connection with that Institution, except as provided in s. 112.313, F.S.~~

~~(11) Institution — A term used to refer to the universities comprising the State University System of Florida individual units defined in Section 240.2011, F.S., as the Board of Regents Governors or the individual universities named therein. Each institution is individually granted all rights, privileges and authority established under this rule.~~

~~(12) Invitation to Bid — A written solicitation for competitive bids with the~~



~~title, date, and hour of the public bid opening designated and the commodity, group of commodities or services defined, for which bids are sought.~~

~~(13) Invitation to Negotiate — An invitation extended to prospective contractors by an Institution, 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. Cost may or may not be a consideration in the initial stages of negotiating.~~

~~(14) Minority Business Enterprise — A business concern as defined in s. 288.703(2), F.S.~~

~~(15) President — The chief administrative officer of a university, responsible for the operation and administration of the university.~~

~~(16) 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.~~

~~(17) Purchase — An acquisition of commodities or services obtained by contract, whether by rent, lease, installment or lease purchase or outright purchase.~~

~~(18) Purchases for Resale — The purchase of commodities or contractual services acquired for the purpose of selling them for the benefit of the Institution.~~

~~(19) Renewal — Contracting with the same contractor for an additional period of time after the initial contract term, provided the original terms of the agreement specify an option to renew.~~

~~(20) Request for Proposal — A written solicitation for competitive proposals for commodities or contractual services with the title date, and hour of the public opening designated. The request for proposal may be used when the scope of work is not clearly defined.~~

~~(21) Responsive and Qualified Bidder or Offeror — A contractor/vendor who has submitted a bid or proposal that conforms in all material respects to a competitive solicitation.~~

~~(22) Term Contract — An indefinite quantity contract for the purchase of commodities or contractual services during a prescribed period of time.~~

~~Specific Authority: Section 7 (d), Article IX, Fla. Constitution~~

~~Specific Authority 240.209(1),(3)(r) FS. Law Implemented 112.313, 240.2011, 240.205(6), 240.227(12), 255, 283.33, 288.703(2) FS. History New 1 13-99.~~