

NOTICE OF PROPOSED REGULATION AMENDMENT  
October 27, 2006

DEPARTMENT OF EDUCATION  
Division of Universities  
University of West Florida  
REGULATION TITLE:

**UWF REG 6.0058 Contracts**

**PURPOSE AND EFFECT:** The purpose of the amendment to this regulation is to update the title of the responsible office and clarify University options regarding purchase orders.

**SUMMARY:** The proposed amendment to the regulation updates responsible office and clarifies options regarding purchase orders.

**THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED.**

**SPECIFIC AUTHORITY FOR REGULATION:** 1001.74(4) FS.

**LAW IMPLEMENTED:** 1001.75(5), 1010.04(2) FS.

**NAME OF UNIVERSITY OFFICIAL INITIATING PROPOSED REGULATION:** Mr. David O'Brien, Assistant Vice President for Administrative Affairs.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS:** Vicki Knaack, Coordinator, [vknaack@uwf.edu](mailto:vknaack@uwf.edu), Phone (850) 474-3420; FAX (850) 857-6058; Bld. 10/Rm 128; 11000 University Parkway; Pensacola, FL 32514-5750. Any comments regarding the proposed regulation must be sent in writing to the contact person on or before November 10, 2006 to receive full consideration.

**University of West Florida Regulations  
UWF/REG-6.0058 Contracts.**

(1) Contracts for commodities or contractual services or licenses shall consist of a purchase order or bilateral agreement signed by the University officials designated by Presidential authority prior to the goods or services being rendered by the contractor.

(2) Any contract for the purchase of services or tangible personal property for a period in excess of one fiscal year shall include the following statement: "The State of Florida's and University's performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature."

(3) Extension of a contract without an expressed renewal option shall be in writing, shall be signed by both parties, and shall be subject to the approval of the ~~Director of Purchasing~~ **Chief Procurement Officer** and shall be subject to the same terms and conditions set forth in the initial contract.

(4) A contract may contain provisions for renewal. The total value of the contract shall be the sum of the purchase price for the initial term plus all renewal costs. All contract renewals are subject to sufficient annual appropriations and a renewal shall be signed by both parties prior to the expiration of the initial contract.

(5) The University may enter into deferred payment agreements utilizing the State of Florida Controller's Consolidated Equipment Financing Program or other financing program when deemed in the best interest of the University.

(6) In order to promote cost-effective procurement of commodities, contractual services or licenses the University has the authority to enter into contracts that limit the liability of a vendor consistent with Section 672.719, F.S.

(7) All bilateral agreements for services shall be written and:

- (a) Provide dates of services;
- (b) Provide payment terms;
- (c) Indicate the University's ability to unilaterally cancel the contract;
- (d) Provide renewal terms, if any;
- (e) Reference the Travel statute in Chapter 112, F.S., if applicable;
- (f) Provide units of deliverables;

- (g) Require contractor to submit invoices in sufficient detail to allow for a proper pre-audit and post-audit;
  - (h) Provide that the University does not indemnify any person, party or entity; and
  - (i) Contain the signature of the President or designee and contractor.
- (8) In lieu of a written bilateral agreement for services, when the relationship of the parties is not complex and thereby necessitating a detailed contract, the University has the option to issue a purchase order that includes the above items (a)-~~(h)~~.

*Specific Authority 1001.74(4) FS. Law Implemented 1001.75(5), 1010.04(2) FS. History--New 9-23-03. Formerly 6C6-6.0058.  
Converted to UWF/REG 6.0058 - 7/21/05. Amended.*