

RULES OF  
UNIVERSITY OF FLORIDA

6C1-3.072 Finance and Administration; Construction; Construction Contract Bidding and Award (Contractor)

(1) In order to be eligible to submit a bid proposal, a firm must, at the time of the University's receipt of bids:

(a) Hold the required applicable state contractor license in good standing when the project falls within the provisions of Chapter 489, F.S.;

(b) If a corporation, limited liability company, partnership or other legal entity, be legally constituted and in good standing in the State of Florida or, if not domiciled in Florida, hold a current and active foreign qualification authorization to do business in the State of Florida;

(c) Not be disqualified at the time of bid submittal through the disqualification procedures described in Rule 6C1-3.074, F.A.C.;

(d) Meet any special pre-qualification requirements set forth in the bid documents;

(e) Not have been convicted of a public entity crime within thirty-six (36) months prior to the date for receipt of bids; and

(2) Prequalification.

(a) On construction projects with special requirements, the University will require that a firm meet special pre-qualification requirements or conditions in the bid documents.

(b) On construction projects that require a contractor with specific expertise and experience, a firm must also meet any additional pre-qualification criteria required by the

University relating to such matters as demonstrated performance of similar work of similar size and complexity, experience and qualifications of proposed staff and the possession or availability of facilities or equipment needed in the performance of the work.

(c) The deadline for the submittal of prequalification data shall be the same as the deadline for the submission of bids, unless the University determines it is necessary for such prequalification data to be submitted on a date earlier than the deadline for submission of bids. In those instances, bids will only be accepted from those potential bidders who have pre-qualified in accordance with this section and the terms of the bidding documents.

(3) Within seven (7) calendar days following the bid opening date, the lowest responsible and responsive bidder, as determined by the University, must also provide:

- (a) proof of satisfaction with the foregoing requirements;
- (b) a letter of intent from a surety company which meets the standards set forth in the project specifications; and
- (c) proof of insurance which equals or exceeds the insurance required for the project.

In the event the lowest responsible and responsive bidder is unable to provide any of the above documentation, such bidder shall be declared unqualified and the bid shall be awarded to the next lowest responsible and responsive bidder.

(4) Except for informalities which under the law the President is allowed to waive, a bid which is incomplete or not in conformance with the requirements of the bid documents shall be determined to be non-responsive and shall be rejected. The bid shall be awarded to the firm determined to be responsible and qualified in accordance with the bid documents and which submits the lowest priced proposal for the work.

(5) If it is in the best interest of the University, all bids may be rejected and the project may be bid again.

(6) In documented cases of emergency, the requirements of this rule can be waived and the President or President's designee can permit negotiation with a qualified firm.

(7) When it is determined to be in the best interest of the University to reduce the price of the lowest responsible and responsive bidder to provide for an award within or closer to the construction budget, the President or designee shall negotiate the construction contract, including the specifications, with that bidder. Negotiations may be terminated and all bids may be rejected at any point in the negotiation process. The award of a negotiated contract will be made by the President.

(8) During the procurement process, the University shall also follow, when applicable, the provisions contained in Rule 6C1-3.020, F.A.C.

Specific Authority 1001.74(4) FS.

Law Implemented 1001.74(5), (28), 1001.75(5), 1013.45 FS.

History—New 6-3-03, Amended 7-19-05.