



MEMORANDUM

TO: Dr. Allen Bottorff, Vice President of Administration & Finance and CFO
FROM: Andrea Cashell, Director Procurement
DATE: January 1, 2024
RE: 2024 FPU Annual Certification List (ACL)

Your approval is requested for an annual certification list for the acquisition of sole source and non-competitive items that are purchased on a regular or continuing basis. Pursuant to the delegation of authority provided by the Florida Board of Governors serving as the governing body for the State University System of Florida as described in FPU regulation 18.001 (6) (d) (17). This Annual Certification List (ACL) serves as a waiver of the competitive solicitation requirement for the commodities and contractual services listed below in Categories 1-14 contingent upon the Conditions of Use provided herein effective January 1, 2024, through December 31, 2024. The following categories and conditions are hereby submitted for your review and approval:

CATEGORIES 1-14

1. The acquisition of copyrighted computer software and software licenses when price competition is not possible, and the purchase is made from the vendor holding the copyrights or sole franchise distributor.
2. The acquisition of copyrighted and single source instruction materials, tapes, publications, manuscripts, films and related materials when price competition is not possible, and purchase is made from vendor holding copyrights or the sole franchise distributor.
3. The acquisition of environmental supplies/equipment for instructional and research efforts wherein the selection must be determined by the expert opinion of the buyer, in consideration of quality and testing conditions to attain the research or instructional objective.
4. The acquisition of maintenance service and/or repair or replacement parts for existing equipment and systems when no other vendor's services or parts can be utilized.
5. The acquisition of technical instruments and test equipment for research and instruction, wherein the selection is determined by the expert opinion of the user directly responsible for the establishment of the objective served by the acquisition. The file of each such purchase will be adequately documented to support the determination.
6. The acquisition of a membership in a professional organization or consortium.
7. The rental of hotel rooms/hotel space and residential space, including catering and AV rental at the hotel and residential space rental.



8. The acquisition of student recruitment services when the supplier is the sole provider of the platform being offered.
9. The acquisition of renovations, modifications, maintenance, or repair services for leased office or laboratory space which is specifically provided for in the lease agreement and/or are required to be accomplished by the owner/landlord and subsequently reimbursed by the University.
10. The acquisition of used equipment and supplies.
11. The acquisition of certain professional services where the personality and character of the provider/consultant plays an integral part in the delivery of product and/or services, and the success of the project. Examples might include but not be limited to; lobbying services and governmental relations consultants, services provided by foreign vendors for services taking place outside of the US, financial consulting services, and student recruitment services.
12. Acquisitions essential to university student safety, welfare, and education available from a single source, or deemed impractical to compete in the best interest of students that are paid by student fees specifically budgeted for that purpose. This includes student activities, technology fees, and student equipment fee purchases.
13. Insurance and/or insurance-related coverage for university employees, students, other related persons, and/or programs.
14. Continuation of services by a specific supplier which exceeds the competitive solicitation threshold as long as Procurement and Contracts are in the process of conducting a competitive solicitation for those services.

CONDITIONS OF USE

1. The Director will provide advisory assistance as required for uniform interpretation and use of the ACL.
2. Each Purchase Order issued in accordance with the ACL shall contain the following statement in the PO file: "This acquisition is made in accordance with the conditions detailed in the FPU Annual Certification List approved by the Director of Procurement effective through December 31, 2024."
3. Each requisition issued pursuant to the ACL must contain a statement verified by the user stating the conditions by which the commodities/services qualify under Categories 1-14 to be verified by Procurement as to the validity and being within the scope and intent of the ACL. This documentation shall be retained in the appropriate procurement file.
4. Each Purchase Order issued pursuant to the ACL must bear the approval of the Director.

The ACL serves as a waiver of the competitive solicitation requirement only and does not nullify or negate the approval requirements by other regulatory bodies.

Recommended By:

Andrea Cashell

Director of Procurement

3/29/2024

Date

Approval:

Vice President A&F, CFO

Date