

By Representative Carlton

1                                   A bill to be entitled  
 2           An act relating to postsecondary education;  
 3           amending s. 240.227, F.S.; revising provisions  
 4           relating to contracts which university  
 5           presidents are empowered to approve and  
 6           execute; including contracts for the lease of  
 7           personal property within such contracts;  
 8           increasing the threshold amount of such  
 9           contracts; requiring compliance with the  
 10          Consultants' Competitive Negotiation Act for  
 11          the procurement of professional services;  
 12          authorizing the approval and execution of  
 13          specified contracts; providing additional  
 14          duties of university presidents; amending s.  
 15          240.299, F.S.; requiring approval by the  
 16          Legislature of certain agreements entered into  
 17          by university direct-support organizations;  
 18          providing an effective date.

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 20 Be It Enacted by the Legislature of the State of Florida:

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 22           Section 1. Subsection (12) of section 240.227, Florida  
 23 Statutes, is amended, and subsections (25) and (26) are added  
 24 to said section, to read:

25           240.227 University presidents; powers and duties.--The  
 26 president is the chief administrative officer of the  
 27 university and is responsible for the operation and  
 28 administration of the university. Each university president  
 29 shall:

30           (12) Approve and execute contracts for the acquisition  
 31 of commodities, goods, for equipment, for services, and

1 ~~including educational services, for leases of~~ for real and  
2 personal property,and for construction to be rendered to or  
3 by the university, provided such contracts are made pursuant  
4 to rules of the Board of Regents ~~the provisions of chapter~~  
5 ~~287, as applicable,~~ are for the implementation of approved  
6 programs of the university, and do not require expenditures in  
7 excess of \$1 million~~\$500,000~~. The acquisition ~~Goods and~~  
8 ~~equipment~~ may be made ~~acquired~~ by installment or  
9 lease-purchase contract. Such contracts may provide for the  
10 payment of interest on the unpaid portion of the purchase  
11 price. Notwithstanding any other provision of this subsection,  
12 university presidents shall comply with the provisions of s.  
13 287.055 for the procurement of professional services and may  
14 approve and execute all contracts for planning, construction,  
15 and equipment for projects with building programs and  
16 construction budgets approved by the Board of Regents.

17 (25) Provide information to the Florida Fiscal  
18 Accounting Management Information System as required by law.  
19 When the university president determines that operational  
20 efficiency can be increased, each university may maintain  
21 additional management systems that provide Florida Fiscal  
22 Accounting Management Information System subsystems with  
23 information required pursuant to s. 215.93.

24 (26) Implement state travel policies as provided by  
25 law. However, for the purposes of university travel pursuant  
26 to s. 112.061, the term "agency head" shall be defined to be  
27 the university president or his or her designee.

28 Section 2. Subsection (5) of section 240.299, Florida  
29 Statutes, is amended to read:

30 240.299 Direct-support organizations; use of property;  
31 board of directors; audit; facilities.--

1           (5) FACILITIES.--In addition to issuance of  
2 indebtedness pursuant to s. 240.2093(2), each direct-support  
3 organization is authorized to enter into agreements to  
4 finance, design and construct, lease, lease-purchase,  
5 purchase, or operate facilities necessary and desirable to  
6 serve the needs and purposes of the university, as determined  
7 by the systemwide strategic plan adopted by the Board of  
8 Regents, upon approval of such agreements by the Board of  
9 Regents and, where the state will be asked for operating funds  
10 or funds to purchase, construct, or lease the facility,  
11 approval of the project by the Legislature. Such agreements  
12 are subject to the provisions of s. 243.151.

13           Section 3. This act shall take effect July 1 of the  
14 year in which enacted.

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HOUSE SUMMARY

Revises provisions with respect to the approval and execution of specified contracts by university presidents. Includes contracts for the lease of personal property within such contracts. Increases, from \$500,000 to \$1 million in required expenditures, the threshold amount of contracts which university presidents may approve and execute. Requires university presidents to comply with the provisions of the Consultants' Competitive Negotiation Act for the procurement of professional services and authorizes university presidents to approve and execute all contracts for planning, construction, and equipment for projects with building programs and construction budgets approved by the Board of Regents.

Provides, as additional duties, that university presidents provide information to the Florida Fiscal Accounting Management Information System and implement state travel policies, as provided by law.

Provides that agreements entered into by university direct-support organizations to finance, design, construct, lease, purchase, or operate certain facilities, in which the state will be asked for operating funds or funds to purchase, construct, or lease a facility, must be approved by the Legislature.