

## CHAPTER 2016-31

### Committee Substitute for Senate Bill No. 350

An act relating to procurement procedures for educational institutions; amending s. 1010.04, F.S.; requiring each district school board and Florida College System institution board of trustees to review certain agreements and contracts before purchasing nonacademic commodities and contractual services under certain circumstances to determine whether the use of the agreements and contracts is economically advantageous; requiring that bid specifications include a specified statement; authorizing each district school board to also use specified cooperative state purchasing programs; providing an exception for certain services; authorizing specified educational institutions to make purchases through an online procurement system, an electronic auction service, or other efficient procurement tool; providing an effective date.

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

Section 1. Subsections (1) and (2) of section 1010.04, Florida Statutes, are amended to read:

#### 1010.04 Purchasing.—

(1)(a) Purchases and leases by school districts and Florida College System institutions shall comply with the requirements of law and rules of the State Board of Education.

(b) Before purchasing nonacademic commodities and contractual services, each district school board and Florida College System institution board of trustees shall review the purchasing agreements and state term contracts available under s. 287.056 to determine whether it is in the school board's or the board of trustees' economic advantage to use the agreements and contracts. Each bid specification for nonacademic commodities and contractual services must include a statement indicating that the purchasing agreements and state term contracts available under s. 287.056 have been reviewed. Each district school board may also use the cooperative state purchasing programs managed through the regional consortium service organizations pursuant to their authority under s. 1001.451(3). This paragraph does not apply to services that are eligible for reimbursement under the federal E-rate program administered by the Universal Service Administrative Company.

~~(c)(b)~~ Purchases and leases by state universities shall comply with the requirements of law and regulations of the Board of Governors.

(2) Each district school board and Florida College System institution board of trustees shall adopt rules, and each university board of trustees shall adopt regulations, to be followed in making purchases. Purchases may

be made through an online procurement system, an electronic auction service, or other efficient procurement tool.

Section 2. This act shall take effect July 1, 2016.

Approved by the Governor March 9, 2016.

Filed in Office Secretary of State March 9, 2016.