



July 31, 2023 UCF Board of Trustees Virtual Meeting
Board of Trustees
Virtual Meeting
Jul 31, 2023 1:00 PM - 2:00 PM EDT

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July 31, 2023 UCF Board of Trustees Virtual Meeting

Board of Trustees

Jul 31, 2023 at 1:00 PM EDT to Jul 31, 2023 at 2:00 PM EDT

Virtual Meeting

Meeting Details: <https://ucf.zoom.us/j/91699624851?pwd=YlYvQXdpQ2dKcFNyS2o3SnZXUnlxdz09>,
(929) 205-6099

Meeting ID: 963 2283 5008

Passcode: 042739

Agenda

I. Agenda

Call to Order and Welcome

1:00 PM

Presenter: Alex Martins, Chair, UCF Board of Trustees

Roll Call

1:01 PM

Presenter: Lauren Ferguson, Assistant Vice President, Board Relations

Public Comment

II. New Business

1:03 PM

Presenter: Chair Martins

A. BOT-1 2023-2024 Linking Industry to Nursing Education (LINE) Fund Proposals

Presenters: Michael D. Johnson, Provost and Executive Vice President for Academic Affairs, Mary Lou Sole, Dean and Professor, UCF College of Nursing

B. BOT-2 Amendments to University Regulations UCF-6.007 Parking Regulation and Enforcement and UCF-6.008 Vehicle Registration Fees; Additional Parking Fees; Parking Violation Fines

Presenters: Youndy Cook, Vice President and General Counsel, Jon Varnell, Vice President for Facilities and Business Operations

C. BOT-3 Amendments to University Regulation UCF-7.130 Administration and Finance; Procurement Services

Presenter: Youndy Cook

III. Adjournment

Presenter: Chair Martins



Board of Trustees

Agenda Item

BOT-1 | 2023-2024 Linking Industry to Nursing Education (LINE) Fund Proposals

Proposed Board Action

Approve the UCF 2023-2024 LINE Fund proposals as proposed.

Authority for Board of Trustees Action

Florida Statute 1009.8962, Linking Industry to Nursing Education (LINE) Fund.

Supporting Documentation Included

Attachment A: 2023-2024 LINE Fund Proposal UCF and AdventHealth

Attachment B: 2023-2024 LINE Fund Proposal UCF and Orlando Health

Facilitators/Presenters

Michael D. Johnson, Provost and Executive Vice President for Academic Affairs

Mary Lou Sole, Dean and Professor, UCF College of Nursing



2023-2024 Linking Industry to Nursing Education (LINE) Fund Proposals

EXECUTIVE SUMMARY

Objective

Consideration of the fiscal year 2023-2024 Linking Industry to Nursing Education (LINE) Fund proposals. These proposals leverage UCF's successful collaborations with AdventHealth and Orlando Health to address the growing nursing workforce needs at local, regional, and state levels. The Board of Trustees' approval is necessary before the proposals are submitted to the Board of Governors.

Summary of Key Observations/Recommendations

The LINE Fund was created as a result of the passing of Senate Bill 2524 (2022). The Fund provides matching funds, on a dollar-to-dollar basis, to participating agencies that partner with health care providers as defined in s. 768.38(2), F.S. The 2022 General Appropriations Act collectively provides \$19 million for the LINE Fund.

If UCF's fiscal year 2023-2024 LINE funding proposals are approved, it will result in the following matching funds:

- AdventHealth: UCF is requesting \$350,000 to support scholarships and additional simulation equipment for nursing students to match \$350,000 committed by AdventHealth.
- Orlando Health: UCF is requesting \$350,000 to support scholarships and additional simulation equipment for nursing students to match \$350,000 committed by Orlando Health.

Rationale

The College of Nursing is leveraging the LINE Fund application to secure matching dollars that would support a key area of focus, Health and Human Performance, in UCF's strategic plan. These proposals will enable UCF to secure additional funding to serve the growing enrollments in our Nursing programs.

Implementation Plan

The 2023-2024 LINE Fund Proposals will support the mission of the College of Nursing by preparing nurse leaders and patient advocates through excellence in education, research and service. Dean Mary Lou Sole and the college's leadership team will work with nursing leadership from the four hospital systems to implement the Scholars Program, Summer Externship Program and Clinical Faculty, and meet at the conclusion of each semester to evaluate the effectiveness of each initiative.

Resource Considerations

Funds pledged for this matching program are provided through each hospital's Pegasus Partnership Agreement.

Conclusion

The proposed LINE Fund proposals will continue to strengthen the partnerships with our local hospital systems and provide rich educational opportunities for UCF nursing students.



**State University System
2023-2024 Linking Industry to Nursing Education (LINE) Fund
Proposal Form**

University:	University of Central Florida
Healthcare Partner:	AdventHealth
Date Proposal Approved by University Board of Trustees:	x/xx/xxxx
Amount Requested:	\$350,000
University Contact (name, title, phone, & email):	Mary Lou Sole, PhD, RN Dean, UCF College of Nursing Mary.Sole@ucf.edu , 407-823-5496
Please check the boxes below as appropriate:	<i>All boxes must be checked in order to be eligible to participate.</i>
Healthcare partner making contribution is located in and licensed to operate in Florida?	<input checked="" type="checkbox"/> Yes
Healthcare partner making contribution is a healthcare provider as defined in Section 768.38(2), Florida Statutes?	<input checked="" type="checkbox"/> Yes
Nursing programs met or exceeded a first-time NCLEX passage rate of 70% for the prior year based on the 2023 Accountability Plan?	<input checked="" type="checkbox"/> Yes
The funds will be used for an eligible purpose per section 1009.8962, Florida Statutes?	<input checked="" type="checkbox"/> Yes

Background

The LINE Fund is intended to incentivize collaboration between nursing education programs and healthcare partners and to meet local, regional, and state workforce demand by recruiting faculty and clinical preceptors, increasing the capacity of high-quality nursing education programs, and increasing the number of nursing education program graduates who are prepared to enter the workforce. Subject to available funds, for every dollar contributed to an institution by a healthcare partner, the fund shall provide a dollar-for-dollar match to the participating institution for approved proposals.

Funds may be used for student scholarships, recruitment of additional faculty, equipment, and simulation centers to advance high-quality nursing education programs throughout the state. Funds may not be used for the construction of new buildings. To participate, an institution must submit a timely and complete proposal to the Board of Governors for consideration. For more details, see Board of Governors [Regulation 8.008 - Nursing Education](#).

Proposals must be submitted with a total of no more than three pages of narrative for the following sections. Proposals with more than three pages of narrative will be rejected.

Proposal Details

Provide a detailed narrative for each section below.

I. Use of Funds - *Describe in detail and with specificity how the institution plans to use the funds, including how the funds will be utilized to increase student enrollment and program completion.*

Matching funds are requested for a **\$350,000 gift** provided by AdventHealth, which will be utilized for nursing student scholarships during the 2023-2024 academic year and the procurement of additional simulation equipment.

\$100,000 is dedicated towards student scholarships which are a priority funding area for the UCF College of Nursing. The funds help alleviate costs related to their education and enable our students to solely focus on their academic success to more efficiently complete their degrees and enter the workforce. One reason these funds are essential to our nursing students is that they are highly encouraged not to work, due to the rigorous curriculum.

The scholarship funding will support the AdventHealth Scholars program, which will provide tuition assistance for 10 nursing students in the amount of \$10,000 per student during the 2023-2024 academic year. This Scholars program will provide students with an opportunity to work closely with AdventHealth nursing leadership to learn more about their hospital system. The Scholars will also be paired with a UCF faculty member who will monitor their progress and success in the program, to ensure program completion and graduation.

The matching funds will be used to double the number of Scholars. Our plan is to implement the Scholars program across the three cohorts of pre-licensure students, thus 20 students will be supported through the scholarship funds. We are now admitting 400 new students annually, so the additional scholarships are of high need.

\$250,000 is dedicated towards purchasing new simulation equipment for UCF's College of Nursing Simulation, Technology, Innovation and Modeling (STIM) Center. The STIM Center at UCF's College of Nursing is accredited by the Society of Simulation in Health Care for its educational excellence. The STIM Center is also one of nine simulation programs worldwide – and only one in Florida – to earn the new Healthcare Simulation Standards Endorsement from the International Nursing Association for Clinical Simulation and Learning (INACSL). The international endorsement recognizes the UCF STIM Center for the high quality of simulation experience, the expertise of our faculty and staff, and our commitment to diversity, equity and inclusion across all simulation. This recognition is also for our commitment to innovation in the field, as it regularly incorporates new technologies, such as augmented, virtual and mixed reality, into simulation learning experiences.

This simulation equipment will be needed in UCF's new facility that will triple the existing research and clinical lab space and will enable the College of Nursing to leverage its internationally recognized expertise in healthcare simulation and achieve its vision of serving the global community as a leader in innovative nursing education.

\$250,000 in matching funds will be paired with \$250,000 of AdventHealth's gift to procure 2 Ventilators totaling approximately \$100,000; 2 Sonogram machines totaling approximately \$100,000, Virtual and Augmented Reality Equipment totaling approximately \$100,000 and 2 High-Fidelity Adult Manikins totaling approximately \$200,000. This new equipment will provide the necessary capacity to serve UCF's growing enrollment in our nursing program.

II. Onboarding & Retention of Graduates - *Describe in detail and with specificity how the health care partner will onboard and retain graduates.*

The Scholars will be placed in one of AdventHealth's 8 hospitals in the Central Florida region to conduct their clinical placements. These clinical placements will provide the students with the education and training they need to graduate and successfully pass the NCLEX examination.

They will also have the rich opportunity to work closely with their nurse preceptor and AdventHealth's leadership team, as they are dedicated to recruiting highly-qualified Knight Nurses.

III. Program Expansion - *Describe in detail and with specificity how the funds will expand the institution's nursing education programs to meet local, regional, or state workforce demands. If applicable, include advanced education nursing programs and how the funds will increase the number of faculty and*

clinical preceptors and planned efforts to utilize the clinical placement process established in Section 14.36, Florida Statutes.

With support from the State of Florida, and our community partners, UCF is working to **increase our pre-licensure BSN student enrollment by 50%**, which will result in approximately 150 new students annually. This increase will result in graduating a total of 4,150 graduates eligible for licensure over the next 10 years. With existing new investments, UCF has already admitted 100 new students over the past year. UCF is also working to increase **graduate student enrollment by 20%** with concentrations in nurse educator, healthcare simulation, doctoral, and educator/simulation certificate programs to support the shortage in nurse educators across the state.

As we have admitted more students, it is essential to retain them. Scholarships, along with additional student success resources, help UCF sustain and increase our retention and graduation rates, because of the rigorous program requirements.

Additionally, as UCF expands our STIM Center, we will need the necessary equipment to train the larger cohorts of both undergraduate and graduate nursing students in our programs. As we enlarge our STIM Center, there will be two main components: a Virtual Hospital and Clinical Skills Exam Suite. The Virtual Hospital will be heavily used by students across multiple clinical courses and programs and will include student queuing, prebriefing and debriefing spaces, flexible simulation rooms, and specialty virtual reality rooms. The Clinical Skills Exam Suite is made up of several individual rooms outfitted with exam tables, patient diagnostic tools and audio-visual recording systems.

These specific funds will enable the university to procure the necessary equipment to support our larger enrollments in our nursing programs.



**State University System
2023-2024 Linking Industry to Nursing Education (LINE) Fund
Proposal Form**

University:	University of Central Florida
Healthcare Partner:	Orlando Health
Date Proposal Approved by University Board of Trustees:	x/xx/xxxx
Amount Requested:	\$350,000
University Contact (name, title, phone, & email):	Mary Lou Sole, PhD, RN Dean, UCF College of Nursing Mary.Sole@ucf.edu , 407-823-5496
Please check the boxes below as appropriate:	<i>All boxes must be checked in order to be eligible to participate.</i>
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The funds will be used for an eligible purpose per section 1009.8962, Florida Statutes?	<input checked="" type="checkbox"/> Yes

Background

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Proposals must be submitted with a total of no more than three pages of narrative for the following sections. Proposals with more than three pages of narrative will be rejected.

Proposal Details

Provide a detailed narrative for each section below.

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Matching funds are requested for a **\$350,000 gift** provided by Orlando Health, which will be utilized for nursing student scholarships during the 2023-2024 academic year and the procurement of additional simulation equipment.

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This simulation equipment will be needed in UCF's new facility that will triple the existing research and clinical lab space and will enable the College of Nursing to leverage its internationally recognized expertise in healthcare simulation and achieve its vision of serving the global community as a leader in innovative nursing education.

\$250,000 in matching funds will be paired with \$250,000 of Orlando Health's gift to procure additional High Fidelity Manikins to support clinical instruction: 2 Infant Manikins totaling approximately \$100,000; 2 Child Manikins totaling approximately \$100,000, and 3 Adult Manikins totaling approximately \$300,000. This new equipment will provide the necessary capacity to serve UCF's growing enrollment in our nursing program.

II. Onboarding & Retention of Graduates - *Describe in detail and with specificity how the health care partner will onboard and retain graduates.*

The Scholars will be placed in one of Orlando Health's 15 hospitals in the Central Florida region to conduct their clinical placements. These clinical placements will provide the students with the education and training they need to graduate and successfully pass the NCLEX examination.

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These specific funds will enable the university to procure the necessary equipment to support our larger enrollments in our nursing programs.



Board of Trustees

Agenda Item

BOT-2: Amendments to University Regulations UCF-6.007 Parking Regulation and Enforcement and UCF-6.008 Vehicle Registration Fees; Additional Parking Fees; Parking Violation Fines

Proposed Board Action

Approval of the proposed amendments to University Regulations UCF-6.007 Parking Regulation and Enforcement and UCF-6.008 Vehicle Registration Fees; Additional Parking Fees; Parking Violation Fines with an effective date of August 6, 2023.

Authority for Board of Trustees Action

Board of Governors Regulation 1.001

Supporting Documentation Included

Attachment A: Proposed Amended Regulation UCF-6.007 (redline)

Attachment B: Proposed Amended Regulation UCF-6.008 (redline)

Facilitators/Presenters

Youndy Cook, Vice President and General Counsel

Jon Varnell, Vice President for Facilities and Business Operations



BOT-2: Amendments to University Regulations UCF-6.007 Parking Regulation and Enforcement and UCF-6.008 Vehicle Registration Fees; Additional Parking Fees; Parking Violation Fines

EXECUTIVE SUMMARY

Objective

Consider proposed amendments to University Regulations UCF-6.007 Parking Regulation and Enforcement and UCF-6.008 Vehicle Registration Fees; Additional Parking Fees; Parking Violation Fines; to be effective August 6, 2023.

Summary of Key Observations/Recommendations

These two university regulations address parking on campus. UCF-6.007 addresses parking regulation and enforcement. UCF-6.008 sets the schedule for parking registration fees, additional parking fees, and parking violation fines.

Proposed amendments to UCF-6.007 include:

- New definitions (section (1))
- Change in composition of the University Parking Citation Appeals Committee (section (1))
- Revised language for vendor permits (section (2)(f)12.)
- Language regarding substitution of vehicles with a virtual permit (section (2)(f)16.)
- Update regarding the disposition of parking citations (section (4))
- Language allowing delinquent fees to be sent to collections (section (8))

Proposed amendments to UCF-6.008 include:

- Reduce the price of employee virtual parking permits to create a single commuter parking rate.
- Elimination of the “C” permit category to transition to a single category for employees.

Additional Background

These proposed regulation amendments allow the university to transition to a single, reduced rate for employee virtual parking permits. This commuter rate for all employees will now be consistent with the student commuter rate. The university is able to make this change for its employees because the Board of Trustees recently (at the June 29, 2023, meeting) approved a motion to legally defease all outstanding parking bonds. In so doing, the university is relieved of certain bond-driven obligations, which in turn allows the university to lower the cost of on-campus parking for our employees.

Rationale

Proposed regulation changes will increase clarity for existing parking regulations. Transitioning to a single, reduced commuter parking rate will also support UCF’s Strategic Plan goal of becoming a best place to learn and work.

Implementation Plan

Once the regulation amendments are approved by this Board, the university will make all related changes to parking permits and fees. Parking Services will update its website, materials, and related procedures to reflect the changes.

Resource Considerations

Parking and Transportation Services estimates a reduction of approximately \$725,000 in decal fees annually. This change will not impact parking operations, planned deferred maintenance, or overall service to the university community.

Conclusion

Staff recommends that the Board approve the proposed amendments to University Regulations UCF-6.007 and UCF-6.008, to be effective August 6, 2023.

UCF-6.007 Traffic/Parking Regulation and Enforcement.

(1) General Information.

(a) Definitions.

1. The term “vehicle” shall include bicycles, motorcycles, automobiles, trucks, and other mobile equipment.
2. High Efficiency Vehicles (HEV): Vehicles which run on rechargeable batteries and gasoline engines combined or which use one or more electric motors or other non-fossil fuel for momentum. Only HEV vehicles may be parked in HEV spaces and must have a valid UCF virtual parking permit or physical hang tag. Maximum time allowed in HEV spaces is 4 hours.
3. Electric Vehicles (EV): Only EV vehicles which require electricity for power may park in the parking spaces designated “Electric Vehicles Only”, must be in charging mode, and must have a valid parking permit unless designated for public use by UCF Parking and Transportation. EVs are prohibited from using unmarked electrical receptacles. Maximum time allowed in EV spaces is 4 hours.
4. Virtual permits: for the purpose of this regulation, the terms virtual permits and hang tag permits are synonymous.
5. License Plate Recognition (LPR): University of Central Florida utilizes license plate recognition hardware and software for parking systems, permit and management and enforcement.
6. Campus: Campus includes the Orlando/Main Campus (to include Research Park and Foundation owned properties) and the specialized campuses of UCF Downtown, Academic Health Sciences and Rosen College of Hospitality Management.
7. Back in Parking: Parking a vehicle with the front of the vehicle facing the drive lanes and rear facing license plate not visible.
8. Nose in Parking: Parking a vehicle with the front of the vehicle facing into the front of the parking space with the rear license plate visible and facing into drive lane.
9. Employee: a UCF employee including academic personnel, USPS, Faculty, A&P, OPS non-student employee, or an employee of a UCF direct support organization.

- (b) The University Parking and Transportation Advisory Committee serves as the principal advisory body to the president through the Vice President of Facilities and Business Operations, recommending policies and regulations that govern traffic and parking on the UCF campus. The committee shall consist of two (2) faculty members selected by the Faculty Senate Committee on Committees~~Parking Advisory Committee~~; two (2) students appointed by the president of Student Government Association; two (2) staff members appointed by USPS Staff Council; one (1) Administrative and Professional employee appointed by the Vice President of Facilities and Business Operations for Administration and Finance. The Vice President of Facilities and Business Operations will appoint one additional member to serve as chair. The term of service shall be two (2) years, staggered with the exception of student members, who shall serve for one year. The committee may elect a vice-chair to serve in the absence of the chair.

- (c) The University Parking Citation Appeals Committee is composed of up to two faculty (2) members, four (4) students, two (2) university employees, ~~and one (1) chair, and one (1) Parking and Transportation Services employee for system access~~. The University Parking Citation Appeals Committee has jurisdiction over violations of the university's parking regulations. In those cases heard before it, this committee will render decisions determining responsibility and will impose appropriate monetary or restrictive penalties. The University Parking Citation Appeals Committee reports to the Assistant Vice President for Auxiliary Services.
- (d) Applicability – The provisions of this regulation shall apply at all times to vehicles that are operated or parked on the UCF campus. The fines, penalties and other sanctions against persons in violation of the provisions of this regulation will be enforced as follows:
1. In the case of a vehicle registered with the Department of Parking and Transportation, the university shall assess fines for parking violations against the person in whose name the vehicle is registered with Parking and Transportation Services.
 2. In the case of a vehicle not ~~so~~ registered as such, assessments for parking violations shall be made against the operator if it is determined that the operator at the time of the violation is associated with the university and, in fact, should have registered the vehicle with the Department of Parking and Transportation.
 3. If a vehicle is not registered with the university and the operator is not associated with the university, fines will be assessed against ~~the vehicle's state registration vehicle certificate holder~~ the person(s) in whose name the motor vehicle is registered with the State Department of Highway Safety and Motor Vehicles of their respective state.
- (e) Responsibility – Unless otherwise noted, the Department of Parking and Transportation is responsible for the implementation and enforcement of this regulation and for resolution of disputes with regard to the university's parking and traffic regulations.
- (f) Authorizations.
1. Operation of a motor vehicle upon any UCF campus is a privilege granted by the university. All vehicles parked on any university campus must be currently registered with the Department of Motor Vehicles of the respective state that the vehicle was registered in and display a valid license tag. UCF adheres to Florida State Statutes regarding vehicle registration expiration dates.
 2. The university is authorized and reserves the right to regulate the use of any of its vehicle parking facilities for the exclusive use of designated groups or individuals.
 3. Any individual possessing a valid driver's license may operate a properly registered motor vehicle on the UCF campus in accordance with the provisions of these regulations.
 4. UCF police officers, community service officers (CSOs) and parking enforcement personnel are authorized to issue a university parking and traffic citation to any person or vehicle violating university parking and traffic regulations.

5. Vehicles are subject to immobilization or being towed from the campus, depending upon the need for such action, as set forth in these regulations.
6. UCF assumes no responsibility for vehicles, or their contents, parked on campus.
7. The University of Central Florida utilizes license plate recognition hardware and software (LPR) for parking systems management and enforcement.

(2) Registration Regulations.

- (a) All motor vehicles parked on the UCF campus must be registered with the Department of Parking and Transportation and have the appropriate virtual parking permit or applicable physical parking permit properly displayed while parked on campus. This includes vehicles used by evening and non-traditional students. Exceptions to this requirement are as follows:
 1. Vehicles displaying “government” license plates.
 2. Properly identified Government officials, such as FBI, ATF, US Customs, etc., who need to park on campus on official business, whose vehicles do not display an official government tag or other governmental markings, may be issued a one day parking permit free of charge. These permits ~~shall~~ may be issued at ~~either the Visitor and Parking Information Center or the Department of Parking and Transportation.~~
 3. Construction personnel and contractors engaged in projects on campus may park within the designated fenced enclosure of the construction site without a UCF parking permit or may purchase a parking permit unless a permit is otherwise provided.
 4. Visitors shall comply with subparagraph (f) ~~1213~~ below.
- (b) The vehicle registration year begins September 1 and ends August 31 the following year for physical permits. Vehicle registration for virtual permits is year-round and based on the length of days selected: provided options are 150 days, 365 days, or daily. To facilitate the permit registration process for physical permits, hangtag permits may be available for purchase the beginning of the last week in July of the registration year. Semester permits are valid 150 days from the date of purchase. Each vehicle must be registered with a virtual permit or have a physical permit properly displayed upon each day the vehicle arrives and is parked on campus ~~no later than the first day of classes of each semester.~~ Individuals who purchase a virtual permit may register a second vehicle to their account for an additional \$15.00 fee. The second vehicle must be owned and registered to the original permit holder or within the same household. Only one registered vehicle per account can be parked on any of the UCF campuses at any given time or the account holder will be subject to \$100 parking fine for virtual permit misuse.
- (c) All individuals who register their vehicles at the university must register them online. Registrants may pay for their parking permits online with a credit card or Knight Cash.
- (d) Physical hang tag permits must be displayed on the rearview mirror with the permit number and expiration date visible and legible from the exterior of the vehicle.
- (e) Registrants must register their own vehicle. The Department of Parking and Transportation must be notified of any change in ownership or license plate number.

- (f) Parking permits are sold or issued under the following guidelines:
1. Only the university president, vice presidents, associate vice presidents, assistant vice presidents, deans and others as approved by the University Parking and Transportation Advisory Committee are eligible to purchase “A” permits. An “A” permit authorizes parking in a 24-hour reserved space, as well as in any other legal parking space on campus that is not reserved for 24 hours daily use. Only a limited number of 24-hour reserved spaces are available. Parking in any paid departmental reserved space, requires the employee to purchase an individual permit registered to their vehicle while occupying the space.
 2. Except as provided otherwise above in subparagraph (i)1, employees ~~with salaries >\$60,001~~55,001 must purchase virtual “B” permits. “B” permits authorize parking in designated “B”, ~~“C”~~, and “D” parking areas.
 - ~~3. Employees with salaries < \$60,001~~55,001 may purchase either a virtual “B” or “C” permit. “C” permits authorize parking in designated “C” or “D” parking areas. Employees who are enrolled in classes may not purchase a student “D” permit in lieu of the appropriate “B” or “C” permit.
 - ~~3.4.~~ All students, staff and faculty parking motorcycles, mopeds, or motor scooters on campus must purchase motorcycle (“MC”) permits. “MC” permits authorize parking in designated motorcycle spaces only.
 - ~~4.5.~~ Commuter students. Student virtual permits are available to all students who do not reside in campus housing. A “D” virtual permit allows parking in designated “D” student parking areas.
 - ~~5.6. Resident students.~~
 - a. Residential virtual permits are available to students who reside on campus as follows:
 - ai. Residents of Apollo, Libra, Hercules, Nike and Neptune communities may purchase only “R” virtual permits and are restricted to designated “R” parking spaces between the hours of 7:00 a.m. and 5:30 p.m. Monday through Friday.
 - bii. Residents of Lake Claire community may purchase only “RL” virtual permits and are restricted to designated “RL” parking spaces between the hours of 7:00 a.m. and 5:30 p.m. Monday through Friday.
 - ciii. Residents of the Towers at Knights Plaza may purchase only “KP” virtual permits and are restricted to “KP” parking garages between the hours of 7:00 a.m. and 5:30 p.m. Monday through Friday.
 - db. All residential parking spaces are restricted to residential permits only and are towing enforced.
 - ee. All residents with listed virtual permit designations may park in any unreserved parking space from 5:30 p.m. to 7:00 a.m. and on weekends. Posted overnight and game day restrictions apply.
 - ~~6.7.~~ Graduate Teaching Assistants, Graduate Research Assistants and all other student OPS employees may purchase only “D” permits.
 - ~~7.8.~~ Employees and students (including Valencia employees and students) at the Rosen College of Hospitality Management, UCF Downtown campus, and the Academic Health Sciences Campus must purchase a virtual permit of the

appropriate classification (“B”, ~~“C”~~, or “D”) which may be used on any of the UCF campuses and park in parking areas as their permit designates.

9.9. Employees or affiliates of the city or county must display a valid UCF permit to access UCF Parking facilities.

~~10. Employees of the Athletics Department, and the Arena, may be issued “F” permits. Approval to purchase an “F” permit must be granted by a designee of the Athletics Department. An “F” permit authorizes parking in parking garage F or any other parking lot or unreserved parking garage that is equivalent to the permit they are issued. “F” permits may be red or blue.~~

10. Special guests of the university, including but not limited to fully retired UCF employees, eligible campus ministry personnel and State Auditors, shall be issued “G” permits, subject to the availability of such permits. A “G” permit authorizes parking in any legal parking space on campus other than those reserved twenty-four (24) hours a day or designated as university business use space. Requests for this permit shall be submitted to the Department of Parking and Transportation. Retirees who return to work in a position with benefits are not eligible to receive a “G” permit. “G” permits are assigned to the retiree or other eligible person(s) for their use only and may not be transferred to another person. Such transference constitutes fraud, and the permit may be revoked. Further, additional permit issuance may be prohibited to the retiree as well as any other individual involved with the use of said permit. A replacement fee may be assessed for a “G” permit that is reported lost.

112. Vendor permits are available to third party vendors who conduct business on the university campus. Vendor permits allow a maximum of two-hour parking in marked service areas. Vendor permitted vehicles are allowed to park in B or D spaces. Vendor permits may also be available to departments that require essential access to serve university needs related to campus emergency restorations, campus infrastructure and building systems. Vendor permits are for the sole purpose of conducting business and are not to be used for personal benefits. With the issuance an any departmental vendor permit, employees in personally owned vehicles are still responsible for purchasing a parking permit to park on any UCF campus and to comply with this regulation. Vendor permits or any departmental purchased permits cannot be purchased for the sole use of any specified UCF student or employee. University expenditure guidelines prohibit use of any university funding to purchase permits for employees. Citations issued to state vehicles illegally parked shall be the responsibility of the employee or driver for payment with no university funds. ~~Vendor permits are available to vendors who conduct business on the university campus. University departments located off campus may purchase vendor permits for short term, official business only. Vendor permits allow for parking for short term (2 hours) for use of Service Vehicles Only spaces for close parking access to buildings to load or unload materials, supplies, and/or equipment. For all other usage, including any parking exceeding 2 hours, Vendor permits allow use of any “C” or “D” parking lot or unreserved parking garage spaces. Vendor permits are not intended to be used to provide convenient parking or an alternative to purchasing a parking permit. Departments that purchase vendor permits are~~

~~specifically prohibited from allowing students to use the permits for non-vendor functions, e.g., to go to class or attend campus events. If heavy lifting of materials is not required, a UCF staff hang tag may be purchased instead. Vendors who need a permit on an infrequent basis may purchase a daily permit that can be used as a vendor permit. In such cases vendors must inform Parking and Transportation Services personnel of their need for a vendor parking permit. Departments found in violation of this regulation will have their vendor permit confiscated and rescinded for the balance of the parking year and may be designated as ineligible for purchase/re-issue of a vendor permit for a period up to one year.~~

123. Visitors to the campus shall purchase a daily visitor's parking permit online at <https://parking.ucf.edu> ~~www.parking.ucf.edu~~ or at the Visitors and Parking Information Center. A virtual daily permit ~~or physical daily permit~~ authorizes parking in student ("D") parking lots and unreserved parking garages unless otherwise directed by parking services personnel. Daily permits are valid from time of purchase until 11:59 p.m. of the date purchased. A 24-hour daily permit may be purchased and will expire 24 hours after time of purchase. Visitors may also park in any short-term, timed parking space by paying the appropriate fee for the time requested. Short-term, timed spaces may be enforced 24 hours a day, unless otherwise posted.
134. Individuals who possess a valid Disabled Veteran (DV) license plate are exempt from the parking permit fee provided the DV license plate is registered in their name.
145. Persons holding current, permanent state-issued disabled placards, or temporary state disabled placards are required to purchase a UCF parking permit of appropriate classification, i.e., "B," ~~"C,"~~ or "D," or "Daily Visitor" to park on the campus. Disabled persons with such appropriate permits may park in any available disabled parking space on the campus, including unreserved parking garages, except for those spaces that are restricted, such as designated twenty-four hour reserved or service parking spaces.
156. Patients of UCF Student Health Services and UCF Counseling Center or Wellness and Health Promotion Services:
- Student Health Services: Both a valid UCF parking permit and active Health Services [appointment are required when parking in Health Services patient spaces. Health Services will administer the parking reservation upon arrival at the reception desk. parking pass must be properly displayed when parking in Health Services patient spaces. The Health Services pass must be obtained from the reception desk located in Student Health Services.](#)
 - Counseling Center: Both a valid UCF parking permit and Counseling Center parking pass must be properly displayed when parking in the Counseling Center patient spaces. The Counseling Center pass must be obtained from the reception desk located in the Counseling Center.
 - Biofeedback Clients: Both a valid UCF parking permit and Biofeedback Center parking pass must be displayed when parking in the Biofeedback client spaces. The Biofeedback pass must be obtained from Wellness and Health Promotion Services.
167. Replacement permits:

- a. Replacement permits for physical permits are issued for \$14.08 plus tax for a multi-semester permit and \$7.04 plus tax for a one semester permit. Proof of sale of the vehicle or return of the original permit is required. If a permit is stolen, a stolen parking permit affidavit must be filed and signed before the replacement permit may be issued.
- b. Virtual permit holders have the benefit of substituting their vehicle on a temporary or permanent basis. The permit holder is responsible to update vehicle changes through <https://parking.ucf.edu> to validate parking access on campuses. When the original permit or sufficient remnants thereof, is not returned or proof of sale is not provided, the replacement fee shall be the full fee in effect at the time of the replacement. The full fee also applies to permits to replace those that are reported lost.

(3) Parking Regulations.

- (a) The responsibility of locating a legal parking space rests with the motor vehicle operator. Lack of a convenient space shall not be considered as a valid excuse for violation of any parking regulation. The fact that a person parks or observes others parking in violation of any parking regulation without being cited does not mean that the regulation is not in effect.
- (b) Except as noted herein, all parking regulations apply twenty-four (24) hours a day, seven (7) days a week and parking areas are restricted to specific permits decal or decals as designated by posted signs or curb markings. However, between the hours of 5:30 p.m. and 7:00 a.m. any vehicle with a valid parking permit may use any “B” (Faculty), ~~“C” (Staff)~~ or “D” (Student) parking space except where otherwise specified by appropriate signs or markings. “A” (Reserved 24 hours), “Service Vehicle Only” parking spaces, and disabled parking spaces shall not be used at any time except by vehicles with permits decals or certification authorizing use of these specific spaces.
- (c) Short-term, timed parking is enforced twenty-four hours a day, seven days a week. Drivers of all vehicles using short-term, timed spaces are responsible for paying the posted fees.
- (d) All vehicles must park nose in with plates facing out to the drive lane within parking spaces, unless a registered license plate is correctly mounted on the front bumper of the vehicle. Exceptions to this rule are as follows:
 - 1. Vehicles displaying accessible permits.
 - 2. Vehicles actively charging at an electric charging station.
 - 3. Vehicles displaying an official State-issued front license plate.
 - 4. Registered Emergency Response Vehicles.
- (e) The following parking practices are specifically prohibited:
 - 1. Parking on lawns, landscaped areas, sidewalks, or other areas not specifically designated by signs or curb markings as parking areas. The absence of a “No Parking” sign does not mean parking is permissible in an area.
 - 2. Double parking, parking any portion of a vehicle outside designated lines or beyond a post or other delineation device indicating a valid parking space or row.
 - 3. Blocking traffic, other parked vehicles, service areas or spaces, roadways, crosswalks, or wheelchair access aisles and ramps.

4. Parking in an access lane. An access lane is any area that is not designated as a parking space and that provides an avenue for traffic flow.
5. Except as noted in paragraphs (b) and (c) above, parking in any space designated for ~~permits~~~~deals~~ other than the one displayed on the vehicle.
6. Parking in a short-term, timed space after the purchased amount of time has expired.
7. Unauthorized parking in 24-hour reserved "A" parking spaces.
8. Unauthorized parking in designated service areas.
9. Parking an unregistered vehicle without a valid parking permit anywhere on the UCF campuses.
10. Failure to display parking permits properly: not permanently affixed, improperly placed, or not displayed on the vehicle for which purchased.
11. Failure to cancel registration or to destroy a physical parking permit upon disposal of the registered vehicle.
12. Unauthorized or fraudulent use of a parking permit.
13. Parking a bicycle, electric bicycle, scooter, skateboard, or any micro-mobility device in a motor vehicle space, on disabled ramps, in areas designated by signs as no bicycle parking, on sidewalks or crosswalks, or in any way to impede ingress or egress of a building.
14. Parking a motorcycle in a motor vehicle space, or any space not designated as motorcycle parking.
15. Parking in a residential parking space without the appropriate permit.
16. Parking in areas that are reserved for events.
17. Use of parking facilities to store vehicles.
18. Overnight parking of recreational vehicles unless registered by Athletics.
- (f) The Department of Parking and Transportation reserves the right to close all or part of a parking facility to conduct maintenance and/or repairs.

(4) Disposition of Parking Citations.

- (a) Payments of non-contested parking citations must be received by the Department of Parking and Transportation within ten (10) business days from the date of citation issue. A late charge of \$10.00 shall be assessed each citation if payment is received after the ten (10) business day period. Payments shall be made by mail, in person, by telephone, or online (at <https://www.parking.ucf.edu>).
- (b) Once a citation has been placed on the vehicle, Parking and Transportation personnel have no further responsibility of notification.
- (c) The Visitor and Parking Information Center accepts approved credit cards, check, and Knights Cash as forms of payment. Fifty (50) or more coins used in any parking related transaction delays processing and will not be accepted as a form of payment.
- (d) Any person who alleges being unjustly ticketed shall appeal the citation online at <https://www.parking.ucf.edu> within ten (10) business days from the date the citation was issued. The Director of the Department of Parking and Transportation or an authorized designee shall eliminate late charges or dismiss the citation altogether if it is determined to have been issued in error. Appeals not sustained by the director or authorized designee shall be heard by the Parking Citation Appeals Committee. Individuals requesting personal appeals shall be notified of their scheduled hearing date at the time ~~the~~~~his~~~~or~~~~her~~ appeal is submitted online. A

reminder of the notification will be emailed to the appellant prior to the scheduled appeal date.

- (e) Written appeals shall be reviewed by a Parking and Transportation Services appeals officer(s). The Appeals Hearing Officer(s) will receive and evaluate written appeals. They will be guided by the parking regulations and shall consider any relevant circumstances, as articulated in the appeal, in making their decision(s). Appeal Hearing Officer(s) may request further information or interview the appellant, a witness, or the citing officer. ~~sub-committee made up of representatives from parking enforcement, maintenance, management, general staff and students.~~ All appellants shall be notified by email of the Appeals Officer(s) committee's decision subsequent to the appeal being heard. Fees assessed due to a vehicle's immobilization may not be appealed.
- (fe) The decisions of the Parking Citation Appeals Committee shall be based upon the provisions set forth in this regulation and extenuating circumstances, if any, and are final and binding, except as set forth herein. A student may request a second level of appeal by submitting a written appeal with the Student Government Association's Judicial Council within ten (10) business days upon receiving notification that the original appeal to the Parking Citation Appeals Committee was heard and denied. The Student Government Association is responsible for establishing the appeal procedure for this second level of appeal. The decision of the Judicial Council is final and binding and no further appeals shall be permitted. For purposes of this appeal process, "student" shall be defined to mean a person enrolled in classes at UCF as of the date of the parking citation.
- (gf) The following reasons will not be accepted by the Judicial Council as grounds to dismiss or reduce a citation. This is not an all-inclusive list:
1. Disagreement with the traffic and parking regulations
 2. Ignorance of the regulation
 3. Stated inability to find a permitted parking space
 4. Operation of the vehicle by another person
 5. Tardiness to class and/or appointment
 6. Inability to pay fine (lack of money)
 7. Displayed expired permit
 8. No valid virtual permit
 9. Traffic congestion
 10. To delay paying the fine for an appealed citation
 11. Unsupported evidence of direction by any university official
 12. Failure to attend the scheduled personal appeal or notify Parking Services twenty-four (24) hours in advance of the hearing of the inability to attend.
- (hg) Students should consider the following when choosing to file an appeal with the Judicial Council:
1. Make sure the reason for the appeal is not one of those listed in subsection (f) above.
 2. The student must prepare a concise written and/or oral statement not to exceed five minutes.
 3. The Judicial Council will contact the student within three (3) business days to schedule a hearing. The case will be scheduled within ten (10) business days upon the Judicial Council receiving notice of the appeal. If the student does not appear for the hearing in person before the Judicial Council, the hearing

will continue in the student's absence as a written appeal. Parking and Transportation Services personnel do not have the authority to overturn the decision of the Judicial Council.

(5) Vehicle Immobilization.

- (a) Vehicles are subject to immobilization under the following circumstances:
 - 1. The vehicle has accumulated three or more unpaid parking citations, or unpaid citations totaling \$200.00 or more in fines.
 - 2. Possession of, using, or displaying a fraudulent/unauthorized parking permit. Violators may also be subject to referral to the Office of Student Conduct.
 - 3. For law enforcement purposes, in which case an immobilization release fee may not be charged.
- (b) Cost of release from immobilization is \$50.00 and payment of all unpaid citations. Citations issued up to time of immobilization are not allowed to be appealed. Release is available from Parking Services personnel during our normal hours of operation or as stated on <https://parking.ucf.edu>. Monday through Friday 7:30 a.m. to 9:00 p.m. or as stated on www.parking.ucf.edu.

(6) Tow away – Vehicles are subject to being towed from campus at the owner's expense under the following circumstances:

- (a) The vehicle is parked in a hazardous manner, in a fire lane, blocking traffic, roadways, crosswalks, sidewalks, disabled ramps, or creating a hazard such as leaking gasoline.
- (b) The vehicle is parked in a space reserved twenty-four (24) hours per day.
- (c) When arrangements to release an immobilized vehicle have not been made within forty-eight (48) hours of the original immobilization.
- (d) When the vehicle is abandoned on campus for any reason whatsoever for more than forty-eight (48) hours.
- (e) When immobilization is not appropriate due to vehicular construction.
- (f) When the vehicle owner has previously removed or attempted to remove an immobilization device without authorization.
- ~~(g)~~ (g) When the vehicle is parked in a parking lot or garage during posted time restrictions.
- ~~(g)~~(h) When the vehicle is parked in a reserved lot or garage designated for events or repairs of parking facility.
- ~~(h)~~(i) When the vehicle is parking in a residential parking lot or garage without a residential parking permit.

(7) Revocation of Campus Parking Privileges –The ~~Assistant~~Associate Vice President for Auxiliary Services shall revoke the privilege of any person to park a vehicle on campus for a period of one year when it is determined that:

- (a) That person falsifies or willfully misrepresents vehicle registration information.
- (b) That person, whether the owner or operator, displays a fraudulent permit on a vehicle.
- (c) That person has accumulated six (6) or more parking citations during an academic year.

(8) ~~Penalties~~Administrative Penalty for Non-Payment of Parking Citations.—

- (a) A violator who is delinquent in the payment of parking citations shall not be permitted to register for class, drop or add classes, receive transcripts or diplomas, or purchase another permit until the debt has been satisfactorily resolved.

(b) The university shall pursue the collection of delinquent payments through the use of lawful procedures. Collection efforts may include contracting for the services of a collection agency.

(9) Traffic Regulations.

- (a) State Uniform Traffic Control Law, Chapter 316, F.S., as well as Chapter 320 F.S., is in effect on campus at all times.
- (b) Campus speed limits are 10 mph in parking lots and parking garages and 30 mph on roads unless otherwise posted.
- (c) It is a violation to drive or park in an opposing direction than indicated by signs, flow of traffic or directional arrows.
- ~~(d) Parking bicycles, scooters or vehicles on grass or on sidewalks not used as access areas is a violation. Conveyances used by disabled persons are exempt from this regulation.~~
- (de) State of Florida Uniform Traffic citations issued on campus by university police officers are referred to appropriate local government courts for disposition.

Authority: BOG Regulation 1.001. History—New 3-22-76, Amended 8-19-82, 5-5-83, 8-14-83, Formerly 6C7-6.07, Amended 8-1-88, 9-20-89, 8-12-90, 7-21-91, 10-11-92, 9-8-93, 9-15-96, 8-14-02, 12-8-03, 8-14-05, 6-27-06, 8-15-06, 6-25-07, 7-31-08, Formerly 6C7-6.007, Amended 7-1-09, 6-24-10, 7-7-11, 3-16-12, 7-23-13, 9-2-14, 6-22-15, 7-5-16, 6-23-17, 5-24-18, 5-16-19, 6-18-20, 5-26-22, _____-23.

Attachment B

(1) Vehicle Registration Fees. All fees, as posted, do not include applicable State Sales Taxes. Vehicle permit fees are subject to change at the beginning of each academic year. There is no refund for a parking permit once it is issued.

(a) Virtual permit fees ~~effective August 6, 2023, for the 2022-23 academic years~~ and going forward are:

Classification	365 Days	150 Days
B	\$303.60 <u>90.03</u>	\$152.29 <u>45.01</u>
BM	\$303.60 <u>90.03</u>	
BV	\$303.60 <u>90.03</u>	\$152.29 <u>45.01</u>
C	\$181.01	\$ 90.98
CM	\$181.01	
CV	\$181.01	\$90.98
D	\$90.03	\$45.01
DM	\$90.03	
DV	\$90.03	\$45.01
G	No charge	No charge
KP	\$135.04	\$67.52
MC	\$46.93	\$23.94
R	\$135.04	\$67.52
RL	\$135.04	\$67.52

(b) Physical permit fees for the 2022-23 academic years and going forward are:

Classification	Multi-semester	1 Semester
A	\$1029.58	\$514.79
B	\$318.78 <u>90.03</u>	\$159.39 <u>45.01</u>
BM	\$318.78	
C	\$190.06	\$95.03
CM	\$190.06 <u>90.03</u>	
D	\$94.53	\$47.27
V	\$47.89 monthly or \$478.87 annually from date of purchase	

(2) Additional Parking Fees:

(a) Daily Visitor:

1. Daily Visitor Permit. Valid from time of purchase until 11:59 p.m. the day of purchase: \$5.00.
2. Daily Visitor permits after 5:30 p.m. Valid from time of purchase until 11:59 p.m. the day of purchase: \$3.00.
3. 24 Hour Daily Permit. Valid from time of purchase for 24 hours: \$8.00.
4. Departmental Daily Permit: \$3.00 per day.
5. Lease for Downtown Garages: up to \$20.00 per vehicle for private functions on weekends. This includes any overflow for events the city or event managers are hosting.
6. Lease for Rosen parking lots: up to \$20.00 per vehicle for private functions on weekends.

(b) One additional vehicle per account holder may be added to virtual permit orders for \$15.00.

(c) Timed, short-term parking spaces: \$2.00 per hour.

(d) Pay-by-space (Visitors Lot Only): \$2.00 per hour for a 2-hour maximum.

- (e) Replacement permits are issued for \$14.08 plus tax for a multi-semester permit and \$7.04 plus tax for a one semester permit. Replacement permits are issued for physical permits only. Proof of sale of the vehicle or return of the original permit is required.
 - (f) EV charging stations are provided for electric vehicles. Vehicles parked in the EV charging station spaces must have a valid virtual permit or display a valid UCF parking permit and be in charging mode.
- (3) Special Provisions. Per University regulation UCF-6.007 (2)(f)6, all on-campus students who reside in Apollo, Libra, Nike, Hercules, Neptune communities (R permits), Lake Claire residents (RL permits) and Towers at Knights Plaza (KP permits) are eligible to purchase only those designated permits associated with their residencies and are restricted to their designated residential parking areas between the hours of 7:00 a.m. and 5:30 p.m. Monday through Friday. Unreserved campus parking spaces may be used by these vehicles outside those days and times.

(4) Schedule of Parking Violation Fines.

(a) Violation	Fine
Unregistered or No Valid Permit	\$30.00
Improper Display of Permit	\$20.00
Unauthorized or Fraudulent Use of Permit	\$100.00
Expired License Plate	\$40.00
Parking in a Disabled Space Without Proper Permit	\$250.00
Blocking a Disabled Ramp	\$250.00
Unauthorized Parking in a 24-Hour Reserved Space	\$50.00
Virtual Permit Misuse	\$100.00
Blocking Traffic or a Roadway	\$50.00
Parking in a Service Vehicle Space Without Proper Permit	\$35.00
Parked Out of Assigned Area	\$25.00
Expired Meter or Overtime in a Pay-by-Space Parking Space	\$25.00
Parking in an Undesignated Area	\$30.00
Parked Facing Traffic/Backed in parking space	\$20.00
Parking in a Fire Lane	\$100.00
Parking in a Residential Space	\$50.00
Immobilization Fee	\$50.00
Any Other Parking Violation Not Herein Specified	\$20.00

(b) All parking violation fines are due within 10 business days. Fines not paid within ten (10) business days, will accumulate a \$10.00 late fee.

(c) Administrative Fees: A fee may be applied in lieu of the original citation fee(s) when the appellant is found to have committed the violation, but the appeals committee deems it reasonable to waive a portion of the fee. A \$10.00 late fee will be applied if not paid within ten (10) business days of the Administrative fee assessment.

1. Immobilization (Boot) Fee: \$50.00
2. Impoundment Fee (for bicycles): \$20.00

(d) The following violations may be considered for waiver only on the first occurrence; subsequent violations will be charged at the full citation fee and are not eligible for a waiver. An administrative fee will be applied in lieu of the waived citation fee as follows:

1. Failure to display a valid parking permit: \$10.00
2. Failure to display a valid license plate: \$10.00

Authority: BOG Regulations 1.001 and 7.003. History—New 7-1-09, Amended 8-12-10, 7-7-11, 6-29-12, 7-23-13, 7-9-14, 7-1-15, 6-23-17, 5-24-18, 5-16-19, 6-18-20, 4-22-21, 5-26-22, 6-29-23, _____-23.



Board of Trustees

Agenda Item

BOT-3: Amendments to University Regulation UCF-7.130 Administration and Finance; Procurement Services

Proposed Board Action

Approve the proposed amendments to University Regulation UCF-7.130 Administration and Finance; Procurement.

Authority for Board of Trustees Action

Board of Governors Regulations 1.001 and 18.001

Supporting Documentation Included

Attachment A: Proposed Amended Regulation UCF-7.130 (redline)

Facilitators/Presenters

Youndy Cook, Vice President and General Counsel



BOT-3: Amendments to University Regulation UCF-7.130 Administration and Finance; Procurement Services

EXECUTIVE SUMMARY

Objective

Consider proposed amendments to University Regulation UCF-7.130 Administration and Finance: Procurement Services.

Summary of Key Observations/Recommendations

Proposed amendments to Regulation UCF-7.130 include:

- An increase to the competitive solicitation threshold from \$75,000 to \$150,000 (subsections (2)(a) and (2)(b)).
- Use of calendar days instead of working days when calculating the time for sole source procurement notices and for notices of a decision or intended decision concerning a solicitation or contract award (subsections (2)(e) and (3)(h)2). Calendar days include Saturday and Sunday but do not include state or university holidays or any other day when the university is otherwise closed for business.
- Removal of an unnecessary sentence regarding compliance with public records laws (subsection (9)(b)).

Additional Background

To ensure that the university obtains fair pricing from qualified vendors, the university requires competitive solicitation for most procurement of goods and services exceeding \$75,000, which was consistent with the system-wide solicitation threshold of \$75,000 previously set by the Board of Governors and has not been updated since 2008. Purchases exceeding this threshold must be formally solicited through Procurement Services via Invitation to Bid or Invitation to Negotiate unless there is a valid exemption to competition.

Rationale

Recently, upon the recommendation of the SUS Inter-Institutional Committee on Procurement (ICOP), the Board of Governors determined to lift the system-wide competitive solicitation threshold to \$150,000 and to review the threshold in light of then-current conditions every three years based on the Consumer Price Index for All Urban Consumers. To adopt this change for university business, the university must amend its own procurement regulation to reflect the increased threshold of \$150,000.

Additional proposed amendments to the regulation would serve to modify calculation of deadlines and timeframes (change from working days to calendar days), to clarify procedure (calendar days includes weekends but not holidays or university closures), to update terminology (expense card in lieu of p-card), and to remove a set threshold at which a security or performance bond may be required.

These regulation changes will allow Procurement Services to continue to provide high-level service to the research and operational activities of the university, streamlining processes while appropriately stewarding university resources.

Implementation Plan

Once the regulation amendment is approved by this Board, the university will begin preparing to use the new competition solicitation threshold upon final approval of the BOG regulation changes, anticipated to occur at the next BOG meeting on August 29, 2023. Procurement Services will update its website, materials, and related procedures to reflect the increased competition threshold. Additionally, Procurement Services will communicate with the university community about this change.

Resource Considerations

The proposed regulation amendments are not anticipated to incur additional costs to the University.

Conclusion

Staff recommends that the Board approve the proposed amendments to University Regulation UCF-7.130.

UCF-7.130 Administration and Finance; Procurement Services

(1) The University Board of Trustees (BOT) has authority to establish a system of coordinated procurement policies, procedures, and practices to be used in acquiring commodities and contractual services required by the University. The University Procurement Services Department has the duty to:

- (a) Develop procurement procedures.
- (b) Canvass sources of supply and contracting for the procurement or lease of all commodities and contractual services for the University, in any manner, including procurement by installment- or lease-purchase contracts. Installment- or lease-purchase contracts may provide for the payment of interest on unpaid portions of the purchase price.
- (c) Recommend or advise the suspension or debarment of a contractor, in accordance with University Regulation UCF-7.124, from doing business with the University for demonstrated cause, including previous unsatisfactory performance.
- (d) Plan and coordinate procurements in volume and negotiate and execute agreements and contracts for commodities and contractual services under which the University may make procurements.
- (e) Where practical and available, implementing the use of existing State University System (SUS) Shared Initiatives contracts; unless the Director of Procurement/Chief Procurement Officer or designee documents that such use is not in the best interest of the university.
- (f) Develop an Annual Certification List to serve as a waiver of the competitive solicitation requirement for commodities/services that are frequently procured and are available from a single source.
- (g) Evaluate, approve, and utilize contracts that are entered into after a public and open competitive solicitation by any State of Florida agency, department, Florida state college or university, the Federal Government, other states, political subdivisions, cooperatives or consortia, or any independent college or university for the procurement of commodities and contractual services, when it is determined to be cost-effective and in the best interest of the University, to make purchases under contracts let by such other entities. The University must maintain appropriate justification for use of services contract adoption. Adopted contracts under this provision may be negotiated by the University to ensure appropriate state law and to achieve improved terms and pricing; however, the resulting contract's general purpose and scope of purchase must be within the scope of the original contract being adopted and the adopted contract must be current (i.e., not-expired). The University shall review existing consortia and cooperative contracts to identify potential savings and, if there is the potential for savings, enter into new consortia and cooperative contracts to achieve the savings, with the goal of achieving a five-percent savings on existing contract prices.
- (h) Elect as an alternative to any provision in Board of Governor's (BOG) Regulation 18.002 to proceed with a bid solicitation or contract award process when it is set forth, in writing, that the particular facts and circumstances which demonstrate that the delay due to staying the solicitation or contract award process would be detrimental to the interests of the University. After the award of a contract resulting from a competitive solicitation in which a timely protest was received and in which

the University did not prevail, the contract may be canceled and re-awarded to the prevailing party.

- (i) Award contracts for commodities and contractual services to multiple suppliers, if it is determined to be in the best interest of the University. Such awards may be on a university, regional or multiple state university-wide basis and the contracts may be for multiple years.
- (j) Reject or cancel any or all competitive solicitations when determined to be in the best interest of the Institution.
- (k) Inspect the part of the plant or place of business to determine the capability of contract performance of a contractor or any subcontractor which is related to the performance of any contract awarded or to be awarded by the University, when specified in the agreement.

(2) Competitive Solicitations Required

- (a) All contracts for the procurement of commodities or contractual services exceeding ~~\$75~~150,000 shall be awarded pursuant to a competitive solicitation, unless otherwise authorized herein.
- (b) When only one response is received to a competitive solicitation for commodities or contractual services exceeding ~~\$75~~150,000 the University shall review the solicitation to determine if a second call for a competitive solicitation is in the best interest of the University. If it is determined that a second call would not serve a useful purpose, the University shall proceed with the acquisition or cancel the acquisition.
- (c) When multiple responses that are equal in all respects are received to a competitive solicitation, the University will give preference to responses that include commodities manufactured in the state, Florida businesses, or foreign manufacturers located in the state to determine the contract award, or, if these conditions do not exist, will use coin toss to determine the award.
- (d) The procurement of commodities and contractual services shall not be divided to avoid the requirement of competitive solicitation.
- (e) The Procurement Services Department, in issuing an Invitation to Bid, Request for Proposal or Invitation to Negotiate, shall provide notice of a decision or intended decision concerning a solicitation, or contract award by electronic posting for 72 hours, which is interpreted as three businesscalendar days. (~~BusinessCalendar~~ days ~~do not~~ include Saturdays and, Sundays, and do not include State or University holidays, or any other days when the University is otherwise closed for business.) If the end of the 72-hour period falls on a Saturday, Sunday, or holiday or any other day when the University is otherwise closed for business, the deadline for filing the Notice of Intent to Protest shall be the next business day. This notice shall contain the following statement: "Failure to file a protest in accordance with BOG regulation 18.002, or failure to post the bond or other security as required in BOG regulation 18.003, shall constitute a waiver of protest proceedings."
- (f) Advertisement. Invitations to Bid, Requests for Proposals, and Invitations to Negotiate for commodities expected to be in excess of \$150,000 and for contractual services expected to be in excess of ~~\$75~~150,000 shall be advertised in the Florida Administrative Weekly or the State of Florida's ~~VBS-VIP~~ System. The head of The Procurement Services Department or designee shall have the authority to waive this advertisement requirement when the number of potential bidders or proposers is

limited and can otherwise be solicited, when the availability of funding so requires, or where delivery is urgent.

- (g) Bids and proposals shall remain sealed (with the exception of typical information revealed at the Bid/Proposal opening for the tabulation sheet) until notice of final contract award is given or in accordance with Florida Statute as appropriate.
- (h) In the case of extension errors, the unit price will prevail.
- (i) Withdrawal. A vendor may withdraw his or her bid or proposal in writing if done within seventy-two (72) hours of the bid or proposal opening, if the bid or proposal is clearly erroneous and it is withdrawn prior to final award or the purchase order being issued.
- (j) Bid/Proposal Evaluations – Bids/Proposals shall be evaluated based on the requirements set forth in the Invitation to Bid/ Request for Proposal/Invitation to Negotiate, which may include criteria to determine acceptability such as inspection, testing quality, workmanship, delivery and suitability for a particular purpose. Those criteria that will affect the bid/proposal price and be considered in evaluation for award shall be objectively measured, such as all or none, discounts, transportation costs and total or life cycle costs. The Invitation to Bid, Request for Proposal or Invitation to Negotiate shall set forth the criteria to be used. No criteria may be used in bid/proposal evaluation that is not set forth in the Invitation to Bid, Request for Proposal or Invitation to Negotiate.

(3) Procurement of Commodities or Contractual Services

- (a) Procurement of Products with Recycled Content. The University encourages the procurement and use of products and materials with recycled content and post-consumer recovered material.
- (b) Procurement of Private Attorney Services. Written approval from the Attorney General is not required for private attorney services acquired by the University.
- (c) Procurement of Insurance. The University has the authority to procure insurance as deemed necessary and appropriate for the operation and educational mission of the University. Examples of insurance coverage that may be acquired by the University include (but are not limited to) insurance coverage for:
 - 1. Physical damage on vehicles and boats;
 - 2. Inland marine on property owned, leased, or loaned to or by the University;
 - 3. Building and property damage;
 - 4. Equipment losses due to theft;
 - 5. Loss of rental income;
 - 6. Excess general liability coverage;
 - 7. Professional liability;
- (d) Procurement of Printing. Printing shall be procured in accordance with the requirements of these rules. The University may refer to the requirements of Chapter 283, F.S., and rules promulgated thereto for guidance with respect to the procurement of printing services.
- (e) Procurements from Small, Minority, Woman, and Veteran Owned Business Enterprises (SMWVBE). The University is an equal opportunity institution and encourages procurement contracting with SMWVBE.
- (f) Procurements from Contractors Convicted of Public Entity Crimes. The University shall not accept a competitive solicitation from, or procure commodities or contractual services from, a person or affiliate who has been convicted of a public

- entity crime and has been placed on the State of Florida's convicted vendor list for a period of 36 months from the date of being added to the convicted vendor list.
- (g) Preferences for Florida-Based Vendors when Procuring Personal Property: For procurements of tangible personal property, the Florida Legislature enacted economic development laws establishing certain conditions and circumstances which, when applicable, require the granting of price preferences to businesses whose principal place of business is the State of Florida. Pursuant to §287.084 Florida Statute, award recommendations shall make appropriate adjustments to Resident Vendor pricing when considering solicitations from Bidders having a principal place of business outside the State of Florida. Refer to Florida Statute 287.084 and BOG Regulation 18.001 for additional information regarding applicability and implementation of this section.
- (h) Procurement actions that are not subject to the competitive solicitation process include but are not limited to:
1. Emergency Procurements. When the President or his or her designee determines, in writing, that a condition exists that threatens the health or safety of person(s) or animal(s) or the preservation or protection of property or the continuance of a vital University function, the University may proceed with an emergency procurement without a competitive solicitation. The emergency procurement shall be limited to the procurement of only the type of items and quantities or for a time period sufficient to meet the immediate threat and shall not be used to meet long-term requirements.
 2. Sole Source Procurements. Commodities or contractual services available from a single source shall be exempted from the competitive solicitation process. Sole Source document shall be publicly posted by the Procurement Services Department for 72 hours which is interpreted as three workingcalendar days. WorkingCalendar days do not include Saturdays and, Sundays and do not include, or State or University Holidays, or any other days when the University is otherwise closed for business. If the end of the 72-hour period falls on a Saturday, Sunday, or holiday or any other day when the University is otherwise closed for business, the deadline for filing the Notice of Intent to Protest shall be the next business day.
 3. Procurements from competitively bid Contracts and Negotiated Annual Price Agreements established by the State, other governmental entities, other public or private educational institutions, and any procurement cooperative or consortium are not subject to competitive solicitation.
 4. Construction Direct Procurement Program. Commodities to be incorporated into any public work (as that term is defined in Rule 12A-1.094, F.A.C.) which are procured by the University in accordance with the requirements of the University's direct procurement program are not subject to any further competitive solicitation.
- (i) Commodities and contractual services that are not subject to the competitive solicitation process include:
1. Artistic services;
 2. Academic reviews;
 3. Lectures;
 4. Accountant services,

5. Auditor services, including those services needed to address audit, financial and fraud-related compliance, controls, and investigative matters, or such other related services;
 6. Legal services, including attorney, paralegal, expert witness, appraisal, lobbyist, arbitrator or mediator services;
 7. Health services, including related equipment and supplies, involving examination, diagnosis, treatment, prevention, consultation or administration of physical or mental conditions or the provision of developmental or vocational rehabilitation;
 8. Medicaid services delivered to an eligible Medicaid recipient by a health care provider who has not previously applied for and received a Medicaid provider number from the Department of Children and Family Services. This exception will be valid for a period not to exceed 90 days after the date of delivery to the Medicaid recipient and shall not be renewed;
 9. Training and education services;
 10. Advertising; except for media placement services;
 11. Services or commodities provided by governmental agencies, another university in the State of Florida or other independent colleges and universities;
 12. Programs or continuing education events that are offered to the general public for which fees have been collected to pay all expenses associated with the program or event;
 13. Procurements from firms or individuals that are prescribed by state or federal law or specified by a granting agency;
 14. Regulated utilities and government franchised services;
 15. Regulated public communications, except long distance telecommunication services or facilities;
 16. Extension of an existing contract; (see section (6)(c));
 17. Renewal of an existing contract if the terms of the contract specify renewal option(s); see section (6)(d));
 18. Procurements from the Annual Certification List developed by the University;
 19. Procurements for resale;
 20. Contracts or services provided by not-for-profit support and affiliate organizations of the University, direct support organizations, health support organizations and faculty practice plans;
 21. Implementation/programming/training services available from the owner of copyrighted software or its contracted vendor;
 22. Procurements of materials, supplies, equipment, or services for instructional or sponsored research purposes when a director of sponsored research or designee certifies that, in a particular instance, it is necessary for the efficient or expeditious prosecution of a research project in accordance with sponsored research procedures or to attain the instructional objective. Sponsored research documents shall be publicly posted by the Procurement Services Department for three business days;
 23. Procurements for the Florida High Tech Corridor initiative.
- (j) Participants in Contract Awards Not Subject to Competitive Solicitations.
1. No person or firm who receives a contract to perform a feasibility study for potential implementation of a subsequent contract, participates in the drafting

of a competitive solicitation or specifications, or designs or develops a program for future implementation shall be eligible to contract with the University dealing with the specific subject matter.

2. The individuals taking part in the development or selection of criteria for evaluation, the evaluation process and the contract award in any procurement shall be independent of, and have no conflict of interest in, the entities evaluated and selected and may be required to so attest in writing.

(4) Bonds

- (a) Solicitation Security. A certified, cashier's or treasurer's check, bank draft or bid bond may be required as a condition for participating in a competitive solicitation where the University is reasonably uncertain about the contractor's ability to perform, ~~and the expected value of the contract is in excess of \$100,000.~~
- (b) Payment and Performance Bonds for Commodities and Services Contracts. The head of the Procurement Services Department or designee is authorized to require any contractor contracting with the University to provide services or commodities (including installation) to furnish a payment and performance bond, with good and sufficient securities, to the University prior to the issuance of the contract ~~when the total contract amount is greater than \$100,000~~ and the University is uncertain about the contractor's ability to perform.
- (c) A bond or security required pursuant to paragraphs (a) or (b) above must be in an amount equal to 100% of the response submitted to the competitive solicitation.
- (d) Solicitation Protest Bond. Any contractor that files a formal protest pursuant to the protest procedures of BOG Regulation 18.002 and this regulation protesting a decision or intended decision pertaining to a solicitation, shall at the time of filing of the formal protest, post with the University a bond payable to the University in an amount equal to: 10% of the estimated value of the protestor's bid or proposal; 10% of the estimated expenditure during the contract term; \$10,000; or whichever is less. The bond shall be conditioned upon the payment of all costs which may be adjudged against the contractor filing the protest action. In lieu of a bond, the University may accept a cashier's check or money order in the amount of the bond.

(5) Notice and Protest Procedures for Protests Related to a University's Contract Procurement Process

- (a) The procedures set forth in BOG Regulation 18.002 shall apply exclusively to any protest that arises from any university contract procurement processes for the procurement of goods, services, leases and for construction-related competitive solicitations.
- (b) Any qualified offeror who is adversely affected by the university's decision may file a written notice of intent to protest within 72 hours after university posting of award or intent to award notice. The protesting firm must reduce its complaint to a written petition and file it with the department that issued the solicitation within ten (10) calendar days from registration of the original complaint. Failure to timely file a protest or failure to timely deliver the required bond or other security in accordance with the Board of Governors' (BOG) Regulations 18.002 and 18.003 shall constitute a waiver of protest proceedings. Additional information on protest procedures can be viewed in the above referenced BOG Regulations.

(6) Contracts

- (a) Acquisitions of commodities, contractual services, or licenses shall be executed with a purchase order or a bilateral agreement/contract, prior to the goods or services being ordered, contracted for, or rendered by the vendor. Procurement using an expense / procurement card, where compliant with applicable policies and procedures, or prior verbal approval from the Procurement Services Department, are also acceptable means to obligate the university for a procurement. All necessary procurement actions (i.e. competition, competition exemptions, approvals) must take place prior to signing a contract/agreement or engaging in any actions that will obligate the university. For procurement under a bilateral agreement/contract or prior verbal approval from the Procurement Services Department, the requisition to process the associated purchase order must be submitted within thirty (30) days of (i) delivery of the commodities or (ii) the obligation for contractual services or licenses being incurred.
- (b) Any contract for the procurement of services or tangible personal property for a period in excess of one fiscal year shall include the following or an equivalent 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.”
- (c) A contract entered into as a result of a competitive solicitation may be extended, for up to twelve (12) months or until completion of the competitive solicitation and award or protest, whichever is longer. The extension shall be in writing, signed by both parties, and shall be subject to the same terms and conditions set forth in the initial contract.
- (d) A contract may contain provisions for renewal. If the commodity or contractual service is procured as a result of a competitive solicitation, the cost of any contemplated renewal must be included in the competitive solicitation. All contract renewals are subject to sufficient annual appropriations. Renewals of a contract, whether the contract resulted from a competitive process or other procurement method, shall be for a period that may not exceed 5 years or twice the term of the original contract, whichever is longer. This provision is not intended to apply retroactively; existing contracts entered into prior to January 1, 2017, including any specified renewal period(s) may continue in accordance with the existing contract terms.
- (e) When any commodity contract requires deferred payments and the payment of interest, such contract may be submitted to the State of Florida Comptroller for the purpose of pre-audit review and approval prior to acceptance by the University. The President shall have the authority to enter into deferred payment agreements utilizing the State of Florida Comptroller’s Consolidated Equipment Financing Program. No agreement shall establish a debt of the state or shall be a pledge of the faith and credit of the state; nor shall any agreement be a liability or obligation of the state except from appropriated funds.
- (f) In order to promote cost-effective procurement of commodities and contractual services, the University may enter into contracts that limit the liability of a vendor consistent with Section 672.719, F.S.
- (g) The total value of the contract is, for purposes of this regulation and university procedures, the procurement price for the initial term plus all renewal costs.

- (h) If a contractor does not furnish proof of payment to subcontractors, suppliers, or laborers within 60 days after the project is certified to be finally complete by the University, the University will pay any retainage, on a pro-rata basis, directly to the subcontractors, suppliers or laborers. In order to obtain payment, subcontractors, suppliers, or laborers who have not been paid after the 60 days have passed have an additional 30 days to submit documentation satisfactory to the University showing that they have performed work on the project, the amount due, and certifying that they have not been paid. If a contractor does not complete a project, the University will use any retainage to complete the work and then pay any balance of the retainage, on a pro-rata basis, to subcontractors, suppliers, or laborers who provide the above required documentation within 30 days after the completion of the project.

(7) **Standard of Conduct.** It shall be a breach of ethical standards: (a) for any employee of the University to accept, solicit, or agree to accept a gratuity of any kind, form or type in connection with any contract for commodities or services; (b) for any potential contractor to offer an employee of the University a gratuity of any kind, form or type to influence the development of a contract or potential contract for commodities or services; or (c) for any University or University direct support organization employee participating on a procurement selection committee to solicit donations from responding vendors during the selection process, except for donations or benefits expressly stated in the procurement document.

(8) **Procurement of Motor Vehicles**

- (a) The term “motor vehicle” includes any automobile, truck, watercraft or other vehicle designed primarily for transporting persons, and construction vehicles or farm equipment.
- (b) The University has authority to:
 1. Establish standard classes of motor vehicles to be leased, procured or used by University personnel;
 2. Obtain the most cost effective and efficient motor vehicles for state purposes;
 3. Establish and operate facilities for the acquisition, disposal, operation, maintenance, repair, storage, control and regulation of University-owned motor vehicles. Acquisition may be by procurement, lease, installment-purchase, loan or by any other legal means and may include a trade-in. All motor vehicles procured or leased shall be of a class that will safely transport University personnel and adequately meet the minimum requirements of the University.
 4. Contract for specialized maintenance services.
- (c) Motor vehicles owned, leased or operated by the University shall be available for official University business only.

(9) **Public Records**

- (a) Agreements may be canceled unilaterally by the University for refusal by the vendor/contractor to allow public access to all papers, documents, letters or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the vendor/contractor in conjunction with the Agreement.
- (b) ~~The University is subject to the Florida Public Records laws.~~
- (c) Contract for Services. To the extent that Payee meets the definition of “contractor” under Section 119.0701, Florida Statutes, in addition to other contract requirements

provided by law, Payee must comply with public records laws, including the requirements of Section 119.0701, Florida Statutes.

(10) **Vendors Excluded from Competition.** In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, Invitations to Bid, Request for Proposals and/or Invitations to Negotiate shall be excluded from competing for such procurements.

Authority: BOG Regulations 1.001, 18.001, 18.002 and 18.003. History–New 4-23-03, Amended 4-17-06, 8-6-07, 10-19-07, Formerly 6C7-7.130, Amended 7-6-09, 8-8-14, 10-29-15, 7-5-16, 4-17-17, 1-24-19, 2-18-21, _____-23.