

**SUMMARY NOTICE OF PROPOSED FLORIDA STATE UNIVERSITY
EMERGENCY REGULATION**

FSU-ER24-1 Purchasing and Procurement

[amending current FSU-2.015 Purchasing and Procurement]

The proposed emergency regulation was approved by the Board of Trustees at its meeting on June 20, 2024, and takes effect on adoption, effective for 90 days. A more permanent parallel amendment to this regulation will be normally noticed and presented to the Board of Trustees at its next meeting, currently scheduled for September 12-13, 2024.

The current FSU regulation, FSU-2.015, in section (18)(g), excludes “labor or materials or selection of professional services for the construction, renovation, repair, maintenance or demolition of facilities or grounds” from the definition of “Contractual Service”. That definition was consistent with prior internal organization which has now changed. This change is entirely consistent with BOG 18.001 Procurement Regulation.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE HEALTH, SAFETY OR WELFARE:

This Emergency Regulation is necessary because the current regulation definition of “contractual services” could limit FSU access to certain favorable contractual services which are urgently needed for the welfare and essential functions of the university and to comply with certain federal mandates. These contracts may not be available under the existing definition. There is insufficient time to provide the full 30-day notice prior to the Board of Trustees June 20, 2024 meeting.

Therefore, an Emergency Regulation is needed which may be approved without prior notice but only valid for 90 days. This same proposed revision with any further needed refinement will be submitted to the Board after the normal required 30 day notice at its next meeting, currently scheduled for September 12-13, 2024

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:

The required notice of this action by the Board of Trustees is provided on the official FSU Regulation webpage. Any interested or affected parties may

object to or comment on the emergency regulation and also to its subsequent more permanent and regular adoption.

AUTHORITY FOR THE PROPOSED UNIVERSITY REGULATION:

The authority for the proposed regulation is as follows: Florida Board of Governors Regulations 1.001(3)(j), (7) , Florida BOG Regulation Development Procedure for State University Boards of Trustees.

UNIVERSITY OFFICIAL INITIATING THE REGULATION: Senior Vice President for Finance and Administration

PROCEDURE FOR PROVIDING COMMENTS ON THE PROPOSED

UNIVERSITY REGULATION: Any person may submit written comments concerning the proposed regulation within 14 days of the date of this notice to:

Arthur R. Wiedinger, Jr.
Office of General Counsel
424 Westcott Building
Florida State University
Tallahassee, FL 32306-1400
Electronic address: awiedinger@fsu.edu
850-644-8973 (fax)
850-644-4440 (phone)