



REGULATION: FGCU-PR6.021

*Effective Date of
Regulation:*

10/21/08

PROMPT PAYMENT TO VENDORS

(1) The following provisions relate to all purchase orders, agreements and contracts for the purchase of goods and services.

(a) It is the policy of the University that payment of an invoice shall be made not later than forty (40) days after receipt of a proper invoice (to include vendor name, date, description of goods and services and amount due), receipt of goods at the location set forth on the purchase order or contract, and inspection and approval of the goods or services, except that in the case of a bona fide dispute the vendor shall be notified of the dispute and payment made only for the amount not in dispute.

(b) If a check in payment of an invoice is not issued within forty (40) days after receipt of a proper invoice and receipt, inspection and approval of the goods and services, the University, upon a valid request, will pay to the vendor, in addition to the amount of the invoice, an interest penalty at the rate established pursuant to Section 55.03(1), F.S., provided, however, that the interest penalty is in excess of one dollar (\$1.00). The interest will be calculated on the unpaid balance from the expiration of the 40-day period until such time as the payment is issued to the vendor. Interest penalties will be processed within 15 days after issuing the payment unless there are exigent circumstances. The provisions of this paragraph apply only to undisputed amounts for which payment has been authorized. The provisions of this paragraph do not apply to payments made to governmental entities of the State of Florida such as local governments and political subdivisions.

(c) For purposes of determining the date an invoice was received, the University will be deemed to have received an invoice on the date on which an invoice in the amount(s) and price(s) stipulated in the purchase order or contract and any written change order is first received at the location designated by the University. In cases where the vendor invoice is incorrect and the vendor is required to furnish a revised invoice, the receipt date of the revised invoice will be used. In case of disputes regarding issues other than invoice amounts, the vendor will be contacted and documentation will be maintained as to the date(s) and person(s) contacted. The invoice receipt date will be the date final resolution is reached.

(d) The University may make partial payments to a vendor upon partial delivery of goods or services.

(e) If the terms of the invoice provide a discount for payment in less than forty (40) days, the University shall preferentially process it and use all diligence to obtain the savings by complying with the invoice terms.

(f) Where the specific provisions of the contract, federal or state law alter the timeframe for making contractually required payments to a vendor or contractor, the University will process payments to meet the contractual, federal or statutory timeframe.

(g) All purchasing agreements between the University and a Vendor shall include the telephone number of the University Vendor Ombudsperson who shall be the Vice President for Administrative Services or designee.

(h) The University may advance payments for goods and services including, but not limited to, maintenance agreements and subscriptions and deposits, when it is in the best interests of the University to make payments in advance and it has been determined there is adequate protection to ensure that such goods or services will be provided.

(i) Vendors must have on file with the University a complete and accurate Internal Revenue Service Form W-9 or other acceptable form that provides all necessary data to determine 1099 status.

(j) Invoices received from vendors shall be for the amount and pricing schedules set forth in the purchase order or contract unless the vendor has received a written change order. A change order is not required for changes within 10% or \$100.00, whichever is less.

(2) Construction Contracts -- For construction projects, the terms and conditions of the contract shall govern the timely payments to contractors for work satisfactorily completed.

Action by Florida Gulf Coast University Board of Trustees:

Approved 10/21/08

Law Implemented:

§§1001.74, 1010.04, F.S.

History of Regulation:

New 10/21/08

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