

60A-1.030 MyFloridaMarketPlace Vendor Registration

(1) Each vendor doing business with the State for the sale of commodities or contractual services as defined in section 287.012, Florida Statutes, shall register in the MyFloridaMarketPlace system, unless exempted under Rule 60A-1.030(3). Information about the registration process is available, and registration may be completed, at the MyFloridaMarketPlace website (link under Business on the State portal at www.myflorida.com). Interested persons lacking Internet access may request assistance from the MyFloridaMarketPlace Customer Service at (866) FLA-EPRO (866 352 3776) or from State Purchasing, 4050 Esplanade Drive, Suite 300, Tallahassee, Florida, 32399.

(2) An agency shall not enter into an agreement for the sale of commodities or contractual services as defined in section 287.012, Florida Statutes, with any vendor not registered in the MyFloridaMarketPlace system, unless exempted under Rule 60A-1.030(3); provided, however, that an agency may do so if the agency purchasing director (or designee) determines in writing (or electronically) that it is necessary to do so to prevent significant interference with the agency's mission, in which case the following provisions apply:

(a) before the agency legally binds itself to the transaction, the agency shall advise the unregistered vendor of this Rule 60A-1.030;

(b) in entering into the transaction, the vendor agrees that it is subject to the terms of use of the MyFloridaMarketPlace system and to the related rules; and

(c) the vendor shall be registered in the system within twenty days after providing the commodities or services at issue, and the goods or services shall not be deemed finally approved until the registration process is completed.

(3) Notwithstanding subparagraphs (1) and (2), an agency may enter into an agreement for the sale of commodities or contractual services as defined in section 287.012, Florida Statutes, with an unregistered vendor if, and only if, one or more of the following conditions is satisfied:

(a) the transaction can be consummated only through use of the State purchasing card (e.g., when a state employee is away from the office and needs to make a field purchase);

(b) the transaction, though capable of being consummated through the system, involves commodities or contractual services concerning which the Department has delegated to agencies written permission to purchase through use of the State purchasing card (e.g., travel arrangements);

(c) information about the vendor is exempt from disclosure under the Public Records Law, Chapter 119, F.S.;

(d) the transaction is with a person or entity providing one of the following:

(i) health care services at or below Medicaid rates;

(ii) commodities or services compensated for by payments from the Agency for Health Care Administration fiscal agent;

(iii) children's medical services under Chapter 391, Florida Statutes;

(iv) services under the Brain and Spinal Cord Injury Program;

(v) commodities or services specific to the Department of Health, Division of Disability Determination;

(vi) commodities or services specific to the Child Care Food Program;

(vii) commodities or services specific to the Developmental Disabilities Program;

(viii) commodities or services specific to purchase-client services under the Vocational Rehabilitation or Blind Services programs;

(ix) commodities or services related to investigations or prosecutions in professional license disciplinary matters;

(x) any commodity which is necessary for a public project and which is acquired by a governmental entity possessing the power of eminent domain in connection with a public project; or

(xi) any commodity or service with respect to which the provider is deemed not to be a vendor, but rather a recipient of a disbursement of state financial assistance as defined in section 215.97, Florida Statutes, or a sub-recipient of a disbursement of a federal award as defined in Circular A-133 of the U.S. Office of Management and Budget.

(4) An agency entering into an agreement with an unregistered vendor for the sale of commodities or contractual services as defined in section 287.012, Florida Statutes, is solely responsible for establishing with the Department of Financial Services a means for ensuring that the agency can pay the vendor through the State accounting system (FLAIR or its successor).

(5) Notwithstanding any contrary terms of use agreed to during the vendor registration process, a governmental body registering as a vendor shall not be deemed thereby to have waived any immunity accruing under the law.