

# UNIVERSITY of WISCONSIN-GREEN BAY

## **Purchasing Policy and Procedure Illegal Purchases**

Number: PPP 5

Dated: 11/01/2004

### **POLICY**

It is the responsibility of every University employee to comply with Wisconsin Statutes and Administrative Codes when expending public funds (regardless of the source of the funding) deposited with the University of Wisconsin-Green Bay.

Wis. Stats. 16.77(2) states whenever a person "...contracts for the purchase of supplies, materials, equipment or contractual services contrary to ss. 16.705 to 16.82 or rules promulgated ... the contract is void, and any officer or subordinate is liable for the cost thereof."

### **PROCEDURE**

1. The following are considered illegal actions; Purchasing will take appropriate action:

1.1 Serial (multiple) orders to the same vendor or for the same commodity will be combined and processed using the appropriate competitive bid process. Serial purchases identified by Purchasing will be stopped and brought to the attention of the appropriate Dean/Director.

1.2 A Return Materials Authorization form modifying the original purchase order in any way is illegal. Modification to a purchase order may only be made by an official change order issued by Purchasing.

2. Any person responsible for initiating an illegal purchase (responsibility will be determined by Department/Dean and/or Purchasing) will be held personally accountable until the transaction is resolved. Resolution options are:

2.1 To submit a letter signed by the individual AND the Dean/Director, to include:

2.1.1 Description of the goods or services purchased.

2.1.2 Circumstances which led to the illegal purchase.

2.1.3 Justification for lack of prior approval from Purchasing.

2.1.4 Statement of actions being taken to prevent repetition of the situation.

2.2 To return goods to the vendor for full credit. The individual may be required to pay restocking or other charges, if any.

2.3 To pay for the goods or services personally from own funds, NOT from public funds.