Non Conforming Purchases

I. Definitions and Purpose:
   A. A non-conforming purchase is a purchase or attempted purchase made in violation of the Wisconsin State Statutes, the Wisconsin Administrative Code, the State of Wisconsin Procurement Manual, the University of Wisconsin System Financial Administration Policies, UWM Selected Academic and Administrative Policies or BFS Purchasing Procedures (“Applicable Rules”).

II. Process:
   A. Any attempted purchase submitted in violation of Purchasing Rules will be documented on the Authorization to Proceed with Non-Conforming Purchase Form in this manual.

      Common reasons for non-conforming purchases are (a) purchases for over $5,000 and was placed without authority; (b) contract was signed without appropriate signature authority; (c) purchase was outside a mandatory State contract; (d) purchase was not permitted under serial purchasing rules (multiple purchases by the same department/program totaling more than $5,000 within any 30 day period; $12,000 within any 90 day period; and $24,500 over a twelve month period to the same vendor); (e) a fully-executed contract was not provided prior to the event/purchase; and (f) purchase made from a prohibited vendor per state law.

   B. Pre-Audit or Purchasing (whoever first identifies the attempted purchase as non-conforming) will fill out Step 1 of the Authorization to Proceed with Non-Conforming Purchase and email it to the UBR in whose area the person attempted to make the purchase resides with the following message:

      Subject: Non-Conforming Purchase – Action Required to Process Purchase–
      PO/DP ######

      Attached is the document submitted by an employee in your area for a purchase that does not conform with applicable laws/rules. Also attached is an Authorization to Proceed with Non-Conforming Purchase Form.

      As the UBR, you are asked to identify the individual responsible for the decision to proceed with the purchase in the non-conforming manner and email that person the form with directions to complete the Explanation of Circumstances Surrounding Non-Conforming Purchase portion and return to you.

      If you wish the purchase to be made, please complete the Authorization of the UBR section and forward to Pre-audit (aschmock@uwm.edu or Engelmann Hall, Room 230E) within 2 weeks of receipt.

   C. Pre-Audit or Purchasing will retain the original DP/Req. for tracking purposes.

   D. Once Pre audit receives the completed form, they will either (1) enter the PO/DP with an “N” at the end of the number; give the attached invoice to AP for payment and forward a copy of the original paperwork and completed form to Purchasing for their records; or (2) forward the original paperwork and the completed form to Purchasing if there is additional processing (i.e. if the non-conforming purchase has been corrected and needs a bid). Accounts Payable will pay any invoices received once purchasing has dispatched the nonconforming PO.
E. Purchasing will keep the original and send the fully completed form to the UBR (indicating how many nonconforming purchases were made by the responsible individual and others in the department reporting up to that URB).

Contact Purchasing with questions regarding Non-Conforming Purchases.