

Procurement Services Guideline, Ratifications

RATIFICATION GUIDELINE FOR END USERS

Unauthorized Procurements. The ratification of an act obligating the District in a contract by any person **without** the requisite authority to do so by an appointment or delegation under the Code rests with the Board. It is prohibited for a Procurement Officer to ratify such acts. The Board may delegate authority, in such amounts as the Board may determine, to ratify such acts to a person above the level of the Procurement Officer. (SC Reg. §19-445.2015(A))

When a ratification is necessary, the Superintendent or a designee as authorized in writing above the level of the Procurement Officer, shall also prepare a written determination as to the facts and circumstances surrounding the act, corrective action taken to prevent reoccurrence, action taken against the individual committing the act, and documentation that the price paid is fair and reasonable. If the price paid is unreasonable, the individual may be held liable for the difference.

END-USER REQUIREMENTS

When either a school or department encounters a ratification, the following documents must be submitted to Procurement Services:

- **A signed memo on letterhead from Principal or Department head addressed to the Director of Procurement Services including a complete explanation regarding the circumstances which caused the ratification. Memo shall identify corrective actions taken to prevent reoccurrence.**
- **Richland County School District One Expenditure Request form to include funding code for services or goods received**
- **All supporting documentation (i.e. invoices)**
- **Completed Documents shall be electronically sent to the Procurement Services Department at procurement@richlandone.org.**

***** Be sure the entire packet is complete, supporting documentation included, and signatures obtained before submission. Any ratification without the above outlined will be returned resulting in vendor payment delay. *****

PROCUREMENT REQUIREMENTS

Upon receipt of completed documents, the Procurement Officer shall prepare a written determination as to the facts and circumstances surrounding the act, what corrective action is being taken to prevent reoccurrence, action taken against the individual committing the act, and documentation that the price paid is fair and reasonable. ***If the price paid is considered unreasonable, the individual may be held liable for the difference.***

All information will then be forwarded to Superintendent for approval prior to payment being rendered to the vendor. The complete process is estimated to take from 5-7 days to complete.

Procurement Services Guideline, Ratifications

Please see the following example documentation packet below. If you have additional questions regarding the ratification process, please contact your Buyer. The ratification packet is available on the Procurement Services webpage.

**Example Memo: Prepared by Principal or Department Head addressed
to the Director of Procurement Services**



TO: LaShonda Outing
Director of Procurement Services

FROM: (Department Head's Name and Title)

DATE: (Date of Memo Submission)

SUBJECT: Letter of Ratification for (Vendor Name)

In the body of the memo explain the following:

- Detail what service(s)/ item(s) the vendor provided
- Explanation as to why procurement code was not followed
- Request for payment and the amount

cc:

Enclosures



RICHLAND ONE

ENGAGE · EDUCATE · EMPOWER

Procurement Services

Central Services Facility

Procurement Services Guideline, Ratifications

Example Richland County School District One Expenditure Request

**RICHLAND COUNTY SCHOOL DISTRICT ONE
EXPENDITURE REQUEST**

**TO: FINANCIAL SERVICES
ACCOUNTS PAYABLE**

FROM: _____

DATE: _____

1. PLEASE PAY TO:

NAME: _____

Invoice No. _____

ADDRESS: _____

2. THE AMOUNT AND EXPENDITURE INFORMATION IS AS FOLLOWS:

ORG.	OBJECT	PROJECT		AMOUNT
TOTAL				

3. FOR: _____

REQUESTED BY: _____

APPROVED BY: _____

Procurement Services Guideline, Ratifications

Example Form: Determination of Appropriateness

(Determination of Appropriateness to Ratify or Terminate an Unauthorized Procurement)

(Completed by Procurement Only)



DETERMINATION OF APPROPRIATENESS

**DETERMINATION OF APPROPRIATENESS TO RATIFY OR TERMINATE AN
UNAUTHORIZED PROCUREMENT**

A Request has been made by:

School/Department:

Vendor/Contractor

Amount:

The Procurement Officer has reviewed and determined that the statement(s) checked below are true:

The goods or services are needed by the District and are an allowable Procurement Code and the price is determined to be fair and reasonable.

The obligation created by the unauthorized procurement is in the best interest of the District.

The vendor is not listed on the suspended/debarred list.

All required documentation and approvals necessary to make the procurement have been obtained in addition to a properly executed Expenditure Request Form.

The Responsible Party (Department) is complete and properly executed, and approval is signed by Principal/Department Head. Memorandum shall include the corrective action to be taken to prevent recurrence and any action(s) to be taken against the individual who committed the act.

Additional Information regarding purchase.

_____ Date

_____ Procurement Officer

cc: Purchasing file



Procurement Services Guideline, Ratifications

**Example Form: Determination of Appropriateness
(Ratification Letter)**

(Completed by Procurement Only)



To: Dr. Craig Witherspoon, Superintendent
From: LaShonda Outing, Director
Procurement and Warehouse Services
Date:
Re: **Unauthorized Purchase requiring Ratification**
Vendor Name:
Amount: \$
Responsible Party (School/Department):

It has been determined that a District employee (Responsible Party) has made an unauthorized award of a contract or that a contract award is otherwise in violation of District procurement rules and regulations.

The Board has delegated the authority to ratify such acts to the Superintendent, or in his absence or at his direction, the Chief Operations Officer.

As the designated head of the Procurement and Warehouse Services department my recommended disposition and corrective action of the unauthorized purchase is as follows:

Disposition:

- Ratify the contract.
An investigation by the Procurement Officer has determined that there is a need for the goods/services and the price offered is considered to be fair and reasonable and in the best interest of the District. Payment may be made to the vendor/contractor
- Terminate the contract.
Contract has been determined to be a violation of law and recipient of contract acted fraudulently or in bad faith. Contract shall be declared null and void. In the event of termination, the Procurement Officer shall comply with the provisions set forth in the State Procurement Regulations §19-445.2015. Payment is not to be made to the vendor/contractor.

Corrective Action:

- No disciplinary or pecuniary action against the responsible employee is needed.
Employee and supervisor will receive a copy of this notification informing them that future unauthorized purchases may result in disciplinary action, which may include, being held financially responsible for the purchase.
- Disciplinary or pecuniary action against the responsible employee is recommended.
A corrective action plan is attached describing measures to prevent recurrence and the action to be taken against the employee who committed the act. Justification is attributed to the seriousness of the violation or a history of multiple infractions on file.

Approval:

Superintendent (Designee)

Date

Please return the entire package to the Procurement Services department for distribution.

Attachment(s): Determination of Appropriateness

cc: Ratification File

Memorandum, Purchase Ratification, Rev. 1, 01-26-16