



D SUNY **DOWNSTATE** Medical Center

Confirming Orders **Split Orders**

Confirming Orders

“A STATE EMPLOYEE WHO DIRECTS A VENDOR TO START PROVIDING GOODS OR SERVICES WITHOUT AN APPROVED CONTRACT MAY BE PERSONALLY LIABLE FOR ANY INDEBTEDNESS THAT IS ULTIMATELY HELD TO BE OWED TO THE CONTRACTOR.”

Contract work should not begin until all necessary approvals are received.

Confirming Orders

- **THE POLICY AT DOWNSTATE MEDICAL CENTER STRICTLY PROHIBITS CONFIRMING ORDERS**
- Confirming Orders are goods or services received without a valid purchase order or contract, these transactions are in violation of SUNY Downstate's policy
- In the event a confirming order did occur, the User department must secure the signature of a Senior Vice President or Chief Financial Officer before submitting the requisition and Letter of Justification to Contract & Procurement Management.

Confirming Orders – Letter of Justification

There are 5 parts to a confirming order letter:

1. Your acknowledgement and understanding of what a Confirming Order is. (**A Confirming Order is any state funded goods or services procured by any party outside of the DMC State Contracts and Procurement Management Department**).
2. Your acknowledgement and understanding that you and the responsible employee of your department is aware that this practice is prohibited and in violation of New York State Finance Laws and DMC policy.
3. Your acceptance of responsibility in creating this Confirming Order.
4. The need that occurred which caused the processing of this Confirming Order transaction. (Why was this transaction(s) performed without a valid Purchase Order/Contract/Amendment issued by DMC State Contracts & Procurement Department?)
5. Specify what corrective measures you/your department have put in place to make sure this practice does not reoccur.

Split Ordering

- Split Ordering is prohibited.
- Split Ordering is the practice of “splitting” a transaction into two or more smaller dollar value transactions to avoid competitive bidding requirements.
- Office of General Services (OGS) purchasing guidelines state that multiple purchases by an agency of similar materials, equipment, and supplies within a 12 month period shall be considered a single purchase. Agencies are to consider their total annual need for a particular good or service and then determine the most appropriate procurement method.