



July 12, 2012

Bulletin # 12-52

Subject: Confirming Order Transactions

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**POLICY:** Confirming Orders are strictly prohibited at SUNY Downstate Medical Center. Confirming Orders are **any state funded goods or services procured by any party outside of the DMC State Contracts and Procurement Management Department**. These transactions are in violation of NYS Finance Laws. Furthermore, NYS Controller's Bulletin Number G-195, states that a State Employee who directs a vendor to start providing goods or services without an approved contract or purchase order may be personally liable for any indebtedness that is ultimately to be owed to the vendor.

**PROCEDURE:** In any event where a Confirming Order did occur, the applicable department head must submit the vendor's invoice with an authorized departmental signature, a departmental requisition, and a letter of explanation/justification. Documents shall be submitted in hard copy or sent via campus email and must include the following:

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 (G-195) 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 performed without a valid Purchase Order/Contract 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.

Letters received without the above required information will be rejected by the DMC State Contracts & Procurement Department and a revised letter requested.

Your requisition, vendor invoice, and letter of justification will be reviewed by the DMC State Contracts & Procurement department and where appropriate will be processed for signature by the Chief Financial Officer and the Assistant Vice President for Materials Management. Upon its approval, the Sate Contracts & Procurement Department will process the transaction.

If you have any questions, please contact Maria Lucido, Director of Procurement at extension 7214.