

# UNAUTHORIZED OR ILLEGAL PROCUREMENT

## Decision to Ratify or Declare Void and Corrective Action

**Agency:** Click or tap here to enter text.

**Procurement Description:** Click or tap here to enter text.

**Contract Amount:** Click or tap here to enter text.      **Vendor Name:** Click or tap here to enter text.

**Date of Procurement:** Click or tap to enter a date.      **PO Number:** Click or tap here to enter text.

The acquisition was unauthorized but in compliance with the Consolidated Procurement Code

The acquisition was in violation of the Consolidated Procurement Code

A. Facts and circumstances surrounding the improper act: Click or tap here to enter text.

B. Corrective action taken or being taken to prevent recurrence: Click or tap here to enter text.

C. Action taken against individual committing the act: Click or tap here to enter text.

D. Ratify or Declare Null and Void: *(Select 1, 2, or 3)*

1. **Contract Fully Performed:** All supplies, services, information technology, or construction have been delivered and neither party has any obligations remaining under the contract resulting from the unauthorized or illegal procurement described herein. *Go to E*

2. **Declare Contract Null and Void:** Agency hereby acknowledges and declares the contract resulting from the unauthorized or illegal procurement described herein as null and void. *Go to E*

3. **Ratify the Contract:** Agency has determined that ratification is in the best interest of the State and therefore ratifies the contract resulting from the unauthorized or illegal procurement described herein. The facts pertinent in supporting this determination that ratification is in the best interest of the State are (See *Unauthorized-Illegal Procurement FAQ* located at <https://procurement.sc.gov/osp/policy> for a list of seven factors that you must address here): Click or tap here to enter text.

### Terminate or Continue the Ratified Contract:

The Agency terminates the ratified contract effective Click or tap to enter a date.. *Go to E*

The Agency continues the ratified contract:*(Select an option below and go to E)*

the acquisition was unauthorized but in compliance with the Consolidated Procurement Code and the Agency has a continuing need for the supplies, services, information technology, or construction provided per this contract.

the acquisition was in violation of the Consolidated Procurement Code, but the Agency has an urgent and compelling need that cannot be met without undue burden to the State unless the contract is continued until a new contract is procured. Click or tap here to enter text.

the acquisition was in violation of the Consolidated Procurement Code, but the Agency has an urgent and compelling need that cannot be met without undue burden to the State unless the contract is continued. The facts and circumstances of this urgent and

**Unauthorized or Illegal Procurement Determination (Continued)**

compelling need and why the need cannot be met without undue burden to the State unless the contract is continued are: [Click or tap here to enter text.](#)

E. Approvals:

Signature: \_\_\_\_\_ Date: [Click or tap to enter a date.](#)  
*Must be signed by the Agency Head or Designee* *Must be date of signing*

Name: [Click or tap here to enter text.](#)

*If value/amount of the contract exceeds Agency Procurement Certification **or** \$100,000, the appropriate Chief Procurement Officer (CPO) must concur in the decision.*

- Does not require CPO concurrence
- Requires CPO concurrence

Signature: \_\_\_\_\_ Date: [Click or tap to enter a date.](#)  
Chief Procurement Officer