

## RATIFICATION OF UNAUTHORIZED COMMITMENTS

The District exercises its purchasing authority within specific definitions. In particular, the Purchasing Department serves as the District's agent for executing purchase orders, contracts, and related instruments with expenditure limitations.

As such, commitments made by other individuals and campus departments may be considered unauthorized and not binding on the District (i.e., a personal liability for that individual making the commitment) unless "ratified" by the Purchasing Department.

"Unauthorized commitments" occur when the authority to obligate the District does not exist nor reside in an individual or a campus department, including ordering and/or accepting commodities or services prior to properly submitting the intended purchase to the Purchasing Department for approval. Note: "Unauthorized commitments" may take place where there is not a pre-existing Purchase Order as well as when there is a pre-existing Purchase Order which is changed without the Purchasing Department's approval (evidenced by the Purchasing Department's issuance of a Change Order).

"Ratification" is the process by which the District accepts the unauthorized commitment as an institutional liability and completes the payment process with appropriate District authorizations. "Ratification" is not automatic and requires statements of justification by the initiating individual or campus department. The Purchasing Department will require the individual or campus department to formally address the following points in a memorandum which will accompany a Requisition for Purchase Order:

- a) What were the circumstances at the time that the goods or services were acquired which precluded the use of proper District procedures?
- b) What actions have been taken to preclude a recurrence of the event?
- c) Acknowledgement that the District's procedures to process a purchase will be reviewed by/with the effected individual to reinforce the use of these processes.

Based upon the memorandum, the Purchasing Department shall determine whether or not it would serve the best interest of the District to recognize the "unauthorized commitment." The Director, Purchasing Department will determine whether or not to "ratify" the act and permit the issuance of a "ratifying" purchasing instrument, based upon whether:

- there is a valid need;
- funds are available, and;
- the goods or services would have otherwise been properly procured and paid.

Acknowledgement of the ratification will be made by the Director to the administrative head of the affected campus department, and a copy may be forwarded to the appropriate Vice President or Dean.

Instances of a flagrant "unauthorized commitment" may be presented to the Vice President of Business Services, as deemed appropriate. Where the circumstances may warrant, the election of whether to "ratify" the unauthorized act may be based on the decision of the Vice President of Business Services.