AUTHORITY:  

Wis. Stats. 16.75(3t)(b)(c)  

16.77

SCOPE:  

- to establish policy on the procurement of commodities and services from the Bureau of Correctional Enterprises (BCE) dba Badger State Industries (BSI)

CONTENT:  

I. Wisconsin statutes provide that the Department of Corrections will provide a current list of all materials, supplies, equipment or contractual services that are supplied by BCE/BSI. This list is available at http://www.buybsi.com.

II. PRO-C-33 does not apply to the printing of the following forms:

A. Forms that must be completed by applicants for admission to an institution of the University of Wisconsin System or by students of such an institution who are applying for financial aid, including loans, or for a special course of study or who are adding or dropping courses, registering or withdrawing, establishing their residence or being identified or classified.

B. Forms which are required by federal law.

C. Forms used by teachers to evaluate a student's academic performance.

D. Forms used by hospitals and health care providers to bill or collect from patients and third parties.

E. Forms used by medical personnel in the treatment of patients.

F. Forms used to collect data from research subjects in the course of research projects administered by the board of regents of the University of Wisconsin System.

G. Internal agency forms/forms that are not public contact forms.

III. Procedure:

A. All materials, supplies, equipment or contractual services required by the agency, that are available from BCE/BSI, must be purchased from BCE/BSI if the:

1. Commodities/services conform to the agency’s specifications;

2. Commodities/services can be provided on time; and
3. Price is equal to or lower than one obtained through competitive bidding/proposals.

B. The agency will review the BCE/BSI Web site for the materials, supplies, equipment or contractual services it requires. If BCE/BSI maintains a contract, the agency must contact the designated BCE/BSI sales representative for pricing and to discuss its requirements prior to making purchases or soliciting bids/proposals. The agency may not specify commodities by a single manufacturer but must provide generic specifications that will allow BCE/BSI and other qualified vendors to compete for orders.

If the agency is unable to determine whether the price of BCE/BSI is market price, it may solicit bids/proposals prior to awarding an order or contract.

C. BCE/BSI will review the agency’s requirements to determine its ability to provide materials, supplies, equipment or contractual services per the specifications, delivery dates, and price requirements within five (5) working days of receipt of agency requirements. BCE/BSI will provide the agency with written (including e-mail) documentation when BCE/BSI is unable to provide the specified or comparable commodity/service equal to or lower than the required price point.

IV. Agencies must advise employees that the purchasing statutes provide penalties for failure to adhere to statutory requirements or to follow proper procedures. Most significantly, employees who fail to follow such procedures and requirements may be personally liable for the amount of the contract price and the costs related to the voiding of the contract and the resultant cancellation of the order to the non-BCE/BSI vendor.

V. The provisions of this policy do not apply if a separate Memorandum of Understanding (MOU) has been mutually negotiated between BCE/BSI and any state agency. In those cases, the specific terms and conditions agreed upon in the MOU will prevail.

Authorized:

Rick S. Hughes, Director
State Bureau of Procurement