State Procurement Manual

DOA-3449 N(R06/94) Formerly AD-P-12

		Number PRO-J-4
		Effective 4-1-02
Section PRINTING	Agencies Affected ALL	Replaces PRO-J-6 DATED 3-1-90
Title PRINTING CONTRACT DISPUTES (FORMERLY PRINTING ORDER EVALUATION)		Page 1 of 2

AUTHORITY: Wis. Stats. 16.75
16.82(4)
35.01
35.012
35.015
Wis. Constitution, Article IV, Section 25

SCOPE:
- to establish a process for the agency printing manager to communicate printing order complaints to the printer and the State Bureau of Procurement
- to establish a process for the Bureau to collect performance data concerning printing contract holders for contract management
- to clarify the use of Printing Order Evaluation in good faith disputes

CONTENT: I. Printing order complaint

A. When printing ordered from a State Procurement statewide contract does not meet agency expectations in regard to quality, timeliness of delivery or any other criteria, the agency printing manager must notify the printing contractor to rectify the problem. Solutions may include reprints, partial reprints, reduction in price, assessment of liquidated damages, or other means as appropriate to the nature of the problems.

B. In many cases, complaints can be resolved with phone conversations. If the agency printing manager and contractor are unable to reach a settlement agreeable to the manager, and the manager would like to receive assistance from the Bureau in the resolution of the complaint, the agency printing manager must file a Printing Order Evaluation (form DOA-3089). The manager will furnish all appropriate information in sections one, two and three and forward the form to the Bureau and the contract printer. The preferred method of forwarding the form to the Bureau is via e-mail.

C. Upon receipt of the Printing Order Evaluation, the Bureau will contact the agency printing manager to determine what role the Bureau will play in the complaint resolution.

Authorized:

Director
State Bureau of Procurement

II. Contract management

A. For proper contract management, the Bureau must be informed of instances when the contractor fails to perform satisfactorily in regard to quality, timeliness of delivery or any other contractual term or condition. This information must be written. The best method of communicating this information is by use of the Printing Order Evaluation. The form will ensure that complete information is provided. Sections one, two and three should be completed. A resolution may not be required. It is sufficient to state "for contract information only". The agency printing manager must submit the Printing Order Evaluation to the Bureau and the contractor.

B. Upon receipt of the Printing Order Evaluation, the Bureau will review the form and contact the agency printing manager if additional information or clarification is needed. The Bureau will maintain a file of Printing Order Evaluations by contract, and may use the reports as evidence in cases of contract cancellation, non-extension or removal from the bidders list. Without receipt of a Printing Order Evaluation, the Bureau can take no action against a contractor to cancel a contract or remove a vendor from the bidders list.

III. Good faith dispute

The Printing Order Evaluation may constitute proper notification of a good faith dispute described in PRO-E-6, Prompt Payment Policy. For this use, the agency printing manager must complete all four sections of the form. Distribution is to the contractor and appropriate agency staff, as required by agency procedures. Filing of good faith disputes with the Bureau is not required.