

Southwest Minnesota State University
M.S. 16A.15 Subd. 3 Form

Date: _____
To: _____
From: Purchasing in Business Services
Subject: 16A contract violation may have occurred

It appears the obligation below was incurred prior to the proper and full contract execution and processing. Please be aware that this violates Minnesota Statutes 16A.15, Subd. 3 which states that **it is illegal** for Southwest Minnesota State University or its employees to authorize contracted services to begin until a contract has been fully executed and processed. A contract must be encumbered, signed by all parties, and processed by the Purchasing Office to be considered fully executed and prior to work beginning under the contract.

It appears the following violation occurred:

- _____ - all signatures were not secured prior to contract work starting.
- _____ - you do not have a delegation of authority sufficient to sign for the college.
- _____ - a purchase order was not completed for the contract prior to contract work starting.
- _____ - an outside vendor contract was used and signed prior to being reviewed and approved by the Attorney General office.

If any person authorizes contracted services in violation of the law, the person responsible for the violation must explain why and what will be done to prevent violations from occurring in the future.

Your purchase order and contract will not be processed nor paid until this completed and signed form is returned and approved. In the future, please follow proper contracting procedures. **Repeated violations of this law could result in revoked contracting privileges.**

Please complete all information below including an explanation and corrective action. Sign, date and email back to Christy.Johnson@smsu.edu
This form will be attached to PO in Marketplace. Thank you.

Below is the information that we have regarding the violation from Purchasing in Business Services:

PURCHASE ORDER #: _____
VENDOR / CONTRACTOR NAME: _____
AMOUNT: \$ _____
OBLIGATION DATE: (work started before completed Contract/Agreement) _____
CONTRACT/AGREEMENT VIOLATION REASON: _____

Employee – Please complete below section

Reason why the obligation was incurred and contracted services authorized prior to the contract being fully executed:

What corrective action will be taken to prevent violation of M.S. 16A.15, subd. 3, from occurring in the future? _____

Employee in violation - Signature and Printed Name	Date
Supervisor for the Employee - Signature and Printed Name	Date
Director of Business Services - Signature and Printed Name	Date