



STATE OF NEW YORK
UNIFIED COURT SYSTEM
OFFICE OF MANAGEMENT SUPPORT
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WILLIAM CLAPHAM
Director of Financial Management
and Audit Services

BUDGET BULLETIN	NUMBER 304	November 10, 1997
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TO: Holders of the Financial Planning and Control Manual

SUBJECT: Appendix A Language Required on All Purchase Orders

Attached is a copy of OSC Procurement and Disbursement Guidelines Bulletin G-167, dated November 6, 1997. This bulletin describes new language intended to protect the State's interests when funds are obligated via purchase order. Effective immediately, the following language is to appear on all purchase orders (AC 130), regardless of value:

The contract established by this purchase order is governed by Appendix A, Standard Clauses For All New York State Contracts, which is incorporated herein and made a part hereof, a copy of which is available upon request. Vendor signifies its acceptance of the terms and conditions of Appendix A by delivery of the goods or services and/or by the acceptance of payment.

Please ensure distribution of this bulletin to all personnel within your respective jurisdictions whose responsibilities may involve the preparation or authorization of purchase orders.

NYS UNIFIED COURT SYSTEM
FOR FPCM APPROVAL

William L. Clapham



PROCUREMENT AND DISBURSEMENT GUIDELINES

Subject	Bulletin No.	Date
Appendix A Language for Purchase Orders	G-167	11/6/97
<p data-bbox="342 615 597 646">William L. Clapham</p> <p data-bbox="152 653 1471 726">Purpose: This bulletin is to advise agencies of the need to reference Appendix A on purchase orders regardless of the amount.</p> <p data-bbox="152 774 1471 926">A purchase order, when issued absent a formal, written contract, serves as the contract which obligates the state. This includes purchase orders issued pursuant to centralized contracts or purchase authorizations. As such, the contract created by the purchase order is governed by Appendix A, Standard Clauses For All New York State Contracts.</p> <p data-bbox="245 974 1305 1005">Effective immediately, purchase orders must contain the following language:</p> <p data-bbox="245 1054 1471 1251">The contract established by this purchase order is governed by Appendix A, Standard Clauses For All New York State Contracts, which is incorporated herein and made a part hereof, a copy of which is available upon request. Vendor signifies its acceptance of the terms and conditions of Appendix A by delivery of the goods or services and/or by the acceptance of payment.</p> <p data-bbox="245 1299 1211 1331">This language may appear on the face or the back of a purchase order.</p> <p data-bbox="152 1379 1471 1570">Agencies should continue to attach Appendix A to all Invitations for Bids and Requests for Proposals. Appendix A must also be attached to all formally written contracts. If an IFB or RFP is not issued or a formal contract is not written, agencies will be required to provide a copy of Appendix A to a vendor upon request. (NOTE: While approval by the Attorney General continues to be required for formally written contracts, it is not needed for purchase orders.)</p> <p data-bbox="245 1619 732 1650">Direct questions on this bulletin to:</p> <p data-bbox="532 1698 964 1850">James Hettie Office of the State Comptroller Bureau of Contracts (518) 474-4012</p>		