

FAP 111-42-00
VENDOR COMPLAINTS

1. If a state agency experiences a minor problem or difficulty with a vendor, the agency shall contact the vendor directly and attempt to informally resolve the problem. If the vendor does not act promptly and satisfactorily, the using agency shall immediately file a Vendor Tracking Document in the state's procurement system. If an agency experiences a major problem, a Vendor Tracking Document shall immediately be entered into the state's procurement system. A Vendor Tracking Document shall be filed on a timely basis and shall fully document the nature of the problem. **An agency shall not allow vendor complaints to accumulate or go unreported until a crisis exists.**

Upon receipt of a Vendor Tracking Document, the appropriate purchasing officer in the Office of Material and Procurement Services shall review the information submitted. An agency may be asked for further clarification or supporting documentation. The purchasing officer shall then forward a copy of the complaint to the vendor for a response or corrective action. The complaining state agency shall be copied on all communications between the Office of Material and Procurement Services and the vendor.

Upon receipt of the vendor response to a complaint, the purchasing officer shall consult with the using agency to determine if the proposed corrective action is satisfactory or if alternatives offered by the vendor are acceptable. If persistent or chronic problems with a given vendor are documented, or the vendor fails to respond, the Office of Material and Procurement Services may initiate disciplinary action.

2. If goods are delivered by a vendor that do not conform to the order, the agency shall notify the vendor promptly. If the vendor does not replace rejected materials within thirty (30) days **after written notice**, the agency may sell the rejected items and submit the proceeds to the vendor, less expenses.
3. The Vendor Tracking Document and any attachment filed in the state's procurement system shall contain:
 - a. The contract number.
 - b. Vendor name.
 - c. Commodity or service involved.
 - d. Name of purchasing officer.
 - e. Brief description of the complaint.
 - f. Action taken to date by the using agency.

Copies of all Vendor Tracking Documents, supporting documentation, and subsequent communications shall be placed in the state's procurement system document file maintained by the Office of Material and Procurement Services.