## **UC Berkeley, Supply Chain Management**

### After-The-Fact Justification for Unauthorized Purchases

This purchase was made without prior Purchase Order authorization. UC Berkeley requires additional justification supporting commitment of university funds for all After- The-Fact purchase requests.\*

Instructions: Please complete and upload this document as an Internal Attachment within BearBuy After-The-Fact Form. **Requisition/PO Number**:

1. A written justification for why the unauthorized procurement action was taken

2. A statement regarding whether or not the price is considered reasonable and the basis for making that determination.

3. An explanation of the action taken to preclude any future unauthorized purchases.

- 4. Department to assume risks for unauthorized transactions related to liability due to gaps in coverage for; insurance, wages, data security breach and intellectual property rights.
- 5. The department head is required to sign the justification.

#### Department Name:

Unit Director Signature (Submitter):	Date:
Dean or VC Signature (Approval):	Date:

\*Please refer to the relevant policy <u>BFB-BUS-43 Materiel Management</u>, Part III, Section G



Detail and specificity are important in writing a quality Statement of Work.

### Statement of work addresses in detail:

- "What" is wanted
- "When" it is wanted
- "Where & How" it should be delivered
- "How" should it be packaged (if applicable)
- "How, When, and Where" it should be inspected/tested and accepted or reviewed indicating it meets requirements
- Who (department or supplier/vendor) is responsible for certain activities (such as certain furnished materials/services, training, follow-on upgrades, maintenance and spare parts replenishment)
- If there will be progress reviews and progress reporting, and if so, "How, When, Where, and by Whom"
- Specialized personnel which may be required
- Other activities that provide a complete description of the requirements to eliminate misunderstanding of what is required by each side of the transaction

#### UNIVERSITY OF CALIFORNIA BERKELEY Graduate School of Education

### PAYMENT FOR SERVICES REQUEST

	Honoi	Use this form when you are rarium, Participant Support/Stip			actor.	
**This form should be	submitted to the BSO befo	ore the service begins, this is highly i Fact Justification to sup			l after service begins, plea	se attach an After The
Payment Type:	Honorarium	Participant Support/Stipend	🗌 In	dependent Contractor	Independent Co	ntractor - After the Fact
Select appropriately:	a fixed price, such as a sp announcement.* Participant Support/Stipe or other short-term instru allowance, supplies, per d Independent Contractor: and deliverables set by the freelance writer, etc. Independent Contractor -	ayment granted in recognition of a special lecture, participation in a works nd: An individual who is receiving a s actional or information sharing activit iem, travel expenses and/or registrat An individual or entity that performs ie UC, prior to when the service begin <u>After the Fact</u> : An Independent Com and/or Risk Services is considered a	shop or par service or tr ty funded b tion fees pa a specific s ns. Example tractor who	al discussion, or simil raining opportunity fro y a sponsored award. aid to or on behalf of service for the UC bas as of services: Printing o commenced services	ar activities. <b>*Please attac</b> om a workshop, conferenc Participant support costs participants connection in ed on a set price, pursuar g services, web/graphic do s without prior authorizati	th flyer or e, seminar, symposium, items: Participant activity of project. It to a scope of work esign, transcription, on/approval from
Payee Type:	Employee*	Former UCB Employee		Student*	Individual**	Org/Inst
service is performed; receive payments via	BearBuy or Payroll.	e if the payee is eligible to			Payee ID info: Employee Tax ID for Org/Inst with no	
If payee is a foreign national, additional forms are required to issue payment. Refer to Controller's Office website for information on paying foreign nationals: http://controller.berkeley.edu/payroll/glacier-tax-			Empl ID/Student ID SS#/Fed Tax ID:			
	he payee must complete			**A Conflict of Interest exception of Payment	Certification form must be o Type: Honorarium.	ompleted with the
ionns.						
Payee Name:						
Payment Address:						
Payee Phone #:	City		State		Zip	
Payee Email:						
Dates of Activity/S	ervice:					
Amount of Payment	t:					
	Work Performed outside of CA, please provide ork in business purpose below					
Detailed Business Purpose:						
Purchase Certificati UNAUTHORIZED PURCI Responsibility - An individ incurred.	HASES	ted purchasing authority who makes an u	unauthorized	l purchase of goods or s	ervices shall be responsible	for payment of the charges
	nancellor or Laboratory Directo		h	d de la companya de dista		
authorized and the transa 2. The unauthorized indiv	ction cannot be canceled, or t	either the full amount whenever the purc he amount of any cancellation charges in only the difference between the charges have been proper.	ncurred whe	n cancellation can be a	rranged.	
Account Name/Fun	d Source:					
Approval Signature:					Date:	
GSE Authorized Sig	nature ( <b>BSO/DO Use O</b>	<b>nly</b> ):			Date:	
Complete info below	w if preparer is not pay	ee				



## **CONFLICT OF INTEREST CERTIFICATION - PART A**

### **DEFINITIONS:**

Conflict of Interest	<b>of Interest</b> The entanglement of an individual's private interests with his or her professional obligations, such that an independent observer might reasonably question whether the individual's professional actions or decisions are improperly influenced by considerations of personal financial gain. These interests most often relate to income, loans or gifts to the individual, and ownership, investments or positions held by the individual – but could also arise as a result of a personal relationship or the interests of a near relative. <i>UC policy relating to research activities extends to the investigator's spouse and dependent children; other policies relating to purchasing decision-making extend to siblings, parents and in-laws.</i>			
Employee	Any individual who is presently employed by the University.			
Employee with Teaching or Research Responsibilities	An academic appointee who is engaged in teaching and/or research activities, employees (e.g., Staff Research Associates) who may participate in teaching or activities.			
Financial Conflict of Interest	intellectual property rights, consulting tee, honoraria, or other tinancial benefit. A set of			
Former Employee	An individual who has retired or separated from the University, was dismissed, formerly employed by the University	or was otherwise		
Near Relative	The spouse, child, parent, brother, sister, son-in-law, daughter-in-law, father-in law, mother-in-law, brother-in-law, or sister-in-law of a University employee, and step-relativing in the same relationship. Near relative also includes the domestic partner of a University employee and a relative the domestic partner in one of the foregoing relationships.			
Are you currently an employee of any entity of the University of California (including but not limited to any of the following; campus, medical center, lab or the Office of the President)?     YES NO				
2. Are you a former employee, within the last two years, of any campus, medical center, and/or lab of the University of California?				
3. Are you a near relative of an employee of any campus, medical center, and/or lab of the University of California?				
4. Is this agreement previously work?	4. Is this agreement with the department in which you or your near relative currently or previously work?			

If you answered "Yes" to any of the questions above: you must complete Part B. Note: A separate Part B is required for each individual identified above.

If you answered "No" to <u>all</u> the questions above, skip PART B, go to the end to sign and date the certification statement.

# VC Administration, University of California, Berkeley

## **CONFLICT OF INTEREST CERTIFICATION - PART B**

Complete this page if you answered yes to any of the questions in Part A. Prepare a separate Part B for each individual as needed (Example: You need to prepare two (2) Part B sections if you were an employee within the last two years and you also have a near relative who is currently employed by the University). Please provide further explanation for every "yes" response:

Name:	Nature of Relationship:	
UC Location:	Department:	
Position:	Date of Separation:	
Will you or your near relative be providing good	ds or services?	YES NO
Are those goods or services available through o	ther commercial sources or through the University?	
Do you or your near relative currently work in t	he department you are contracting with?	
Have or will you or your near relative be involve planning, negotiations, transactions, arrangeme		
Have or will you or your near relative be overse selecting, overseeing details of contract, approv	eing any aspect of this contract (i.e. Supervising, /als of funding, etc.)?	YES NO
Do you or your near relative have any past, curr this contract?	rent, or future responsibility for, or involvement in	
Please describe all your financial interests (or business entity involved in this contract:	the financial interests of your near relative) through, i	n or with any
Do you own or control more than 10% interest provide services to the University?	in a business which proposes to rent or sell goods or	
Does your near relative own or control more th or sell goods or provide services to the Universi	an 10% interest in a business which proposes to rent ty?	
Are you or your near relative a director, officer, management in this organization?	partner, trustee, employee or hold any position of	
Do you or your near relative hold stock or other contractor/collaborating organization?	r investment interests with the above listed	YES NO
Are you or your near relative an owner or partn	er of the above listed organization?	
Have or will you or your near relative receive ro held with the above listed contractor/organizat	valties paid by, or licenses and other agreements ion?	
Do you or your near relative have any business severance arrangements with the above listed of	arrangements, consultant agreements, pending contractor/ organization?	YES NO
Do you or the near relative have any interest in organization?	real property with the contractor/collaborating	
Are the personal finances, income, assets or lial down by \$250 or more in a 12 month period as	bilities of you or your near relative likely to go up or a result of this contract?	
· · ·	, equipment, or facilities have been or will be used in	

## VC Administration, University of California, Berkeley

### **CERTIFICATION**

I certify that the information I have submitted is accurate, true and complete to the best of my knowledge. I affirm that the information below pertains to me, my spouse, dependent children, relatives with whom I have a close personal relationship, and household members. In the event that my certification statement requires additional information, I agree to comply with the University's request to provide more detailed information.

To be completed by the Potential Supplier: Date:	Company Name:		
Name:	Signature		
To be completed by UC, Berkeley, Supply Chain Management, Policy Exception Authority:			
Approved: Yes No			
Date:	Signature		



### Fax Completed Form to Vendoring: (510) 664-7209 UC Berkeley Substitute W-9 & Supplier Information Form

Suppliers who do not wish to complete this form in its entirety may elect not to do business with UC Berkeley.

## □ NEW SUPPLIER □ UPDATE EXISTING SUPPLIER □ NEW INDIVIDUAL □ REFUND SUPPLIER SUPPLIER ID\_\_\_\_\_

SUPPLIER INFORMATION						
1	NAME (as registered with the IRS)				PARENT COMPANY NAME (if applicable)	
	BUSINESS NAME/D	BUSINESS NAME/DBA (if different than above)			COUNTRY (if not U.S.A.)	
	ORDER ADDRESS (number, street, and apt or suite no.)			REMITTANCE A	ADDRESS (number, street, and apt or suite no.)	
	CITY, STATE and P	CITY, STATE and POSTAL CODE		CITY, STATE and POSTAL CODE		
	ORDER PHONE NU	ORDER PHONE NUMBER		PURCHASE ORDER EMAIL		
	PURCHASE ORDER	PURCHASE ORDER FAX NUMBER		CONTACT NAME (Order and Remit)		
			- · ·			
		cation (C=C Corporation	n, S=S Corporation, P=Partner	S CORPORATION		
	SOCIAL SECURITY	ICATION NUMBER (TI	EMPLOYER IDENTIFI	CATION NUMBER	<b>DUN &amp; BRADSTREET NUMBER</b> (DUNS, if applicable)	
			OR			
			E PROVIDING TO UC BERKE	,	UNSPSC CODE (if applicable)	
	HUMAN SUBJEC	-	· · · · · · · · · · · · · · · · · · ·			
2	UC BERKELEY STA	FF CONTACT NAME	UCB CONTACT PHONE		UCB CONTACT EMAIL	
			BUSINESS TYPE / C	CLASSIFICATI	ON	
3	BUSINESS SIZE	OWNER GENDER	SUPPLIER CLASSIFICAT	ΓΙΟΝ		
	LARGE       FEMALE       SUPPLIER       ATTORNEY       INDEPENDENT CONTRACTOR         SMALL       MALE       CONSULTANT       INDIVIDUAL       REFUND					
	FEDERAL CERTIFIC	ATIONS: self-certify w	ith the Federal Government		<b>MBE</b> (Minority Business Enterprise)	
	SDB (Small Disadvantaged Business)       VOSB (Veteran Owned Small Business)       SBE (Small Business Enterprise)			SBE (Small Business Enterprise) SDVOSB (Service-Disabled Veteran-		
	Small Business)          □ HBCU/MI (Historically Black College or )          ANC1 (Alaska Native Corporation not          Minority Institution)			Owned Small Business)		
	certified with SBA	,	ANC2 (Alaska Native Co	•	_	
	STATE OF CALIFORNIA CERTIFICATIONS: self-certify on the State of CA website       DBE (Disadvantaged Business Enterprise)         WBE (Women Business Enterprise)       SBE (Small Business Enterprise)       DVBE (Disabled Veteran Business Enterprise)					
	ABILITY ONE PROGRAM: (for disabled businesses) Ability One					
		CERTI		OR U.S. ENTITIES	AND CITIZENS	
4	The design of the set of the design of the d					
	SIGNATURE (required for U.S. entities and citizens)			DATE		
	PRINTED NAME			TITLE		

#### Guide to Completing the Substitute W-9 and Supplier Information Form

#### WHO COMPLETES THE SUBSTITUTE W-9 AND SUPPLIER INFORMATION FORM?

The supplier or authorized supplier representative completes and signs the Substitute W-9 and Supplier Information Form.

#### WHO SUBMITS THE FORM TO VENDORING?

Supplier or Department can submit a completed form. If the supplier submits the form, Section 2 for UC Berkeley staff contact information must be completed.

#### WHERE SHOULD THE FORM BE SENT?

The completed form should be faxed to UC Berkeley Vendoring .
Fax: 510-664-7209

#### Helpful Instructions for Completing the Substitute W-9 and Supplier Information Form

### **TYPE OF REQUEST?**

- > **NEW SUPPLIER** New supplier providing a product or service when doing business with UC Berkeley
- > UPDATE EXISTING SUPPLIER- Changes/updates to existing supplier information
- NEW INDIVIDUAL- To whom payment is due. Also used for reimbursement, honorarium or subject or research participant payment
- > **REFUND SUPPLIER-** Refund due for only cash or check payment

#### SUPPLIER INFORMATION

- NAME Name used when filing IRS taxes. Must correspond to the Social Security Number or Employer Identification Number
- **BUSINESS NAME/DBA** Name of the company, if different from legal name
- > PARENT COMPANY NAME- Name of the parent company, if subsidiary completing the form
- > ORDER ADDRESS Primary business location
- REMITTANCE ADDRESS Address where payments are sent, if different from primary address
- > **ORDER PHONE NUMBER** Primary business telephone number
- > **PURCHASE ORDER EMAIL** Email address to send Purchase Orders to
- > **PURCHASE ORDER FAX NUMBER** Fax number for UCB to send Purchase Orders to
- CONTACT Supplier contact name
- > FEDERAL TAX CLASSIFICATION Select the applicable tax classification; check only one (1) type
- > TAXPAYER IDENTIFICATION NUMBER The social security number or employer identification number, required
- > **DUN & BRADSTREET NUMBER** The unique 9 digit identification number assigned to your business, if applicable
- UNSPSC CODE United Nations Standard Products and Services Code (<u>www.unspsc.org</u>) or the description of business or services providing to UC Berkeley

#### UC BERKELEY STAFF CONTACT INFORMATION

UC BERKELEY STAFF CONTACT – Name, phone number and email address for the UC Berkeley staff contact who requested you to complete the form

#### **BUSINESS TYPE/CLASSIFICATION**

- **BUSINESS SIZE, OWNER GENDER, SUPPLIER CLASSIFICATION** select the appropriate options
- GOVERNMENT CLASSIFICATIONS select all for which the business has self-certified as defined in the System for Award Management or on the State of California Contract Registration e-Procurement website

#### CERTIFICATION

> Supplier or authorized payee representative must sign the Certification. Required for U.S. entities and citizens

#### Substitute W-9 Form Disclosures

#### AFFIDAVIT

The signatory of this document affirms they are authorized to represent the company. The signatory confirms that the number shown on this form is the company's correct taxpayer identification number. He or she hereby certify under penalty of perjury under the laws of the State of California that the information provided on this document is true and correct as it pertains to company's business size and classifications as defined by the federal Small Business Administration's (SBA) business size standards and other business classifications. Any misrepresentation may prevent the company from doing business with UC Berkeley, and be subject to any other penalties allowed by law. If any of the business information on this form changes, the supplier is responsible for advising and resubmitting a form with the new information back to UC Berkeley's Procurement Services Vendoring Group.

#### PRIVACY NOTIFICATIONS

#### FEDERAL

Pursuant to the Federal Privacy Act of 1974 (as of 2001) protects individuals by regulating when and how local, state and federal government and their agencies can request individuals to disclose their Social Security Number (SSN) and by requiring that Social Security Numbers must be maintained as confidential by those local, state and federal government and agencies.

#### STATE

If any type of personal information is requested or volunteered by the user, State law, including the Information Practices Act of 1977, Government Code Section 11015.5 and the federal Privacy Act of 1974 may protect it. Information provided in this form, with the exception of a Social Security Number or federal tax identification, may be a public record and could be subject to public inspection and copying if not otherwise protected by federal or State law.

#### **INSURANCE REQUIREMENTS**

Insurance requirements are based on degree of risk rather than the dollar value of the contract, and will be reviewed with vendor prior to commencing business. Coverage must be current and in place at the time when a supplier is actively doing business with Berkeley. All insurance policies shall be subject to review and approval by the University, including submitting the firm's current certificate of insurance.

#### **PRIVACY ACT NOTICE:**

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who are required to file information returns with the IRS to report interest, dividends, and certain other income paid to you; mortgage interest you paid, the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, or Archer MSA or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and to cities, states, the District of Columbia, and U.S. possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply for providing false or fraudulent information.

#### **PENALTIES:**

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding**. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information**. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties. **ADDITIONAL INSTRUCTIONS:** See IRS Form W-9, Request for Taxpayer Identification and Certification.