



State Procurement Manual

Department of Administration, State Bureau of Procurement

Number
PRO-507

Section EXCEPTIONS, WAIVERS AND SPECIAL HANDLING	Effective DATE	Replaces PRO-C-33 3-14-13
Title PROCUREMENT FROM WISCONSIN BUREAU OF CORRECTIONAL ENTERPRISES		Page 1 of 3

SCOPE: The purpose of this policy is to establish requirements and official procedure related to procurement of goods and services provided by the Wisconsin Bureau of Correctional Enterprises, doing business as Badger State Industries or Badger State Logistics.

POLICY: Pursuant to s. 16.75(3t)(c), the Department of Corrections (DOC) will provide a current list of all goods and services supplied by their Bureau of Correctional Enterprises (BCE), Badger State Industries (BSI) and/or Badger State Logistics (BSL). This list is available at <https://www.ShopBCE.com>. See PRO-417, Purchasing from E-Commerce Systems, Materials Distribution Services and Badger State Logistics.

Agencies must advise employees that the purchasing statutes provide penalties for failure to adhere to statutory requirements or to follow proper procedures, including but limited to purchases with BCE. See PRO-106, Prior Approval of Purchases/Unauthorized Purchases.

All goods and services that are available from BCE/BSI must be purchased from them if all the following conditions are present (“right of first refusal”):

1. Goods/services conform to the agency’s specifications;
2. Goods/services can be provided in accordance with the agency’s specified timeline; and
3. Price is comparable to that which could be obtained through competitive bidding/proposals (“market price”).

Exclusions

Certain forms are excluded from the requirements to purchase from BCE as provided in Section II, A below.



Legal Authority

Wis. Stats. 16.75(3t)(b)(c); 16.75(6)(ag)(am); 16.77

Agencies Affected: All, unless otherwise noted

Authorized:

Sara Redford, Director
State Bureau of Procurement



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While BCE provides signage, they are not offered a right of first refusal for the purchase of signs. See PRO-310, Procurement of Signs.

The provisions of this policy do not apply if a separate Memorandum of Understanding (MOU) has been mutually negotiated between DOC and any state agency. In those cases, the specific terms and conditions agreed upon in the MOU will prevail.

PROCEDURE:

- I. Specifications and Market Price Development
 - A. The agency will review the BCE/BSI website for the goods and services it requires. If BCE/BSI maintains a contract, the agency must contact the designated BCE/BSI representative.
 - B. In developing specifications, the agency will follow PRO-202, Specifications and Standards. Once final, the agency will provide written requirements to BCE/BSI.
 - C. BCE/BSI will review the agency's requirements and within five (5) working days of receipt, provide either:
 - 1) Confirmation it can meet the agency's specifications and timeline in accordance with 1-3 above; or
 - 2) Provide a waiver when it is unable to meet the conditions of 1-3 above. Waivers requested due to BCE's inability to meet an expedited delivery timeframe require adequate justification of the emergent need for the good/service.
 - D. If the agency is unable to determine whether BCE/BSI is offering a market price, it may solicit bids/proposals or quotes prior to awarding an order or contract. However, the agency



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must obtain a waiver from BCE/BSI before proceeding with the purchase from another supplier.

- E. In comparing costs, if the agency intends to share price quote information between BCE/BSI and other suppliers, it must do so equally.

II. Excluded Forms

- A. This policy does not apply to the printing of:

1. Forms that must be completed by applicants for admission to an institution of the University of Wisconsin System or by students of such an institution who are applying for financial aid, including loans, or for a special course or who are adding/dropping courses, registering or withdrawing, establishing residence or being identified or classified.
2. Forms which are required by federal law.
3. Forms used by teachers to evaluate a student's academic performance.
4. Forms used by hospitals and health care providers to bill or collect from patients and third parties.
5. Forms used by medical personnel in patient treatment.
6. Forms used to collect data from research subjects in the course of research projects administered by the board of regents of the University of Wisconsin System.
7. Internal forms that are not public contact forms.



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