

**Problem with Goods and Services**

Unsatisfactory Goods

It is understood that all goods ordered by the Santa Clara County Office of Education (COE) shall be new, of first class material and workmanship, and free of defects. All goods centrally received will be subject to inspection by Warehouse personnel.

Notification Process  
for Unsatisfactory Goods

Goods which fail to conform to specifications will be rejected and returned at the vendors' expense. The vendor will immediately provide replacement goods which meet specifications.

Following is the procedure to follow:

1. A requestor must also inspect all goods immediately after delivery by the Warehouse.
2. Goods with defects or concealed damage must be reported to the Warehouse within 5 working days after receipt. The goods will be picked up and returned for replacement.
3. Goods ordered from warehouse "Stores" inventory, which are unacceptable in quality or function, should be reported to the Product Evaluation Committee. (See Product Evaluation Committee entry in Section 1, Page 42).

Unsatisfactory Services

The Purchasing Manager may warn, suspend or dismiss a vendor for unacceptable performance.

Example of this are:

1. Use of alcohol or drugs while on the job.  
Suspected alcohol or drug use outside the job will not be considered unless there is proof that the person has been under the influence of alcohol or drugs while on the job.
2. Any observed conduct by the vendor deemed inappropriate in a school environment.
3. The vendor fails to perform work in accordance with written specifications.

**Problem with Goods and Services**

Unsatisfactory Services  
(continued)

Misunderstanding of oral instructions not agreed to in writing may not be sufficient cause for dismissal.

Notification Process  
For Unsatisfactory Service

Following is the Notification process.

1. If there is a situation believed to be grounds for dismissal, the program manager will file a written complaint to Purchasing Services.
2. The complaint must include a detailed description of the occurrence, the date and names of any witnesses present.
3. Purchasing Services will review the complaint with the vendor. The program manager and witnesses and the vendor may be asked to attend a meeting.
4. If there is agreement that the vendor has been irresponsible, he or she will be given the opportunity to correct the problem.
5. The vendor will be advised that if the problem occurs again it may be grounds for contract termination and removal from the COE's bidders list.
6. Results of the meeting will be documented and kept on file in Purchasing Services.

If further incidents occur, the program manager will again file a written complaint with Purchasing Services. At this point, a formal meeting will be held with the vendor and program manager.

Depending on the meeting's outcome, the vendor may be served with a formal, written complaint from Purchasing Services and may be placed on probation for a period of not less than one year. The vendor will be advised that any further complaints will be cause immediate dismissal.