Procurement Procedures for U.S. Department of Agriculture (USDA) Child Nutrition Programs

Lakeview Public Schools

The procurement procedures contained on the following pages 1 through 8 will be implemented beginning October 20, 2025 until amended. All procurements must maximize full and open competition. Source documentation must be available to determine open competition, the reasonableness, the allowability and the allocation of costs.

The Lakeview Public School intentionally seeks to prohibit conflicts of interest in all procurement of goods and services.

__________________________________	__________________
Chairman, School Board	Date
__________________________________	__________________
Superintendent/Executive Director of School	Date

Conflicts of Interest

No employee, officer, agent, or board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the federal award. A conflict of interest includes when the employee, officer, agent, or board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract.

An employee, officer, agent, and board member of the recipient or subrecipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors.

However, the Lakeview School District has set standards for situations where the financial interest is not substantial, or a gift is an unsolicited item of fifty dollars.

Violations of the standards set in this document may result in disciplinary actions including up to and including termination.

If the recipient or subrecipient has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian Tribe, the recipient or subrecipient must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest mean that because of relationships with a parent company, affiliate, or subsidiary organization, the recipient or subrecipient is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign

Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: https://www.usda.gov/sites/default/files/documents/ad-3027.pdf, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; or
2. fax: (833) 256-1665 or (202) 690-7442; or
3. email: program.intake@usda.gov

This institution is an equal opportunity provider.

Micro-purchasing:

Purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed $10,000.

Micro-purchases may be awarded without soliciting competitive price or rate quotations if the recipient or subrecipient considers the price reasonable based on research, experience, purchase history, or other information; and maintains documents to support its conclusion. Purchase cards may be used as a method of payment for micro-purchases.

The aggregate amount of the procurement transaction does not exceed the micro-purchase threshold defined in 2 CFR 200.1. To the extent practicable, the recipient or subrecipient should distribute micro-purchases equitably among qualified suppliers.

The School Board has the responsibility for ensuring compliance.

The Sponsoring Authority will ensure compliance in Micro Purchasing in the following way(s):

1. after a determination that no other contract is suitable; and
2. if the contract includes a ceiling price that the contractor exceeds at its own risk

Small Purchasing:

Threshold $175,000 for public sponsoring authorities/organizations & $250,000 for nonpublic sponsoring authorities/organizations.

The aggregate dollar amount of the procurement transaction is higher than the micro-purchase threshold but does not exceed the Simplified Acquisition Threshold (SAT). Price or rate quotations must be obtained from an adequate number (**at least two**) of qualified sources. Purchase is awarded to the bidder whose bid/price conforms with all the material terms and conditions and is the lowest in price.

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Formal Procurement:

Threshold $175,000 for public sponsoring authorities/organizations & $250,000 for nonpublic sponsoring authorities/organizations.

All Food Service Management Company (FSMC) procurement must be completed as formal procurement regardless of the size of the contract.

The Sponsoring Authority is responsible for ensuring that the required contract provisions are in the final contract:

- Contract provisions as required in Appendix II to 2 CFR 200;
- Contract provisions as required in 7 CFR 210.21(f) for all cost reimbursable contracts;
- Contract provisions as required in 7 CFR 210.16(a) (1-10) and 7 CFR 250.53 for food service management company contracts.

There are two methods a Sponsoring Authority can choose to utilize: Invitation for Bid (IFB) or Request for Proposal (RFP)

IFBs: When utilizing the IFB method, bids are publicly solicited (once per week for two weeks) through an invitation. A firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid conforms with all the material terms and conditions of the invitation and is the lowest in price. For sealed bidding to be feasible, the following conditions should be present:

- A complete, adequate, and realistic specification or purchase description is available.
- Two or more responsible bidders have been identified as willing and able to compete effectively for the business.
- The procurement lends itself to a firm fixed-price contract, and the selection of the successful bidder can be made principally based on price.

IFB timeline and steps:

- Perform a Cost/Price Analysis: Research current market conditions.
- Develop specifications for the purchase.
- Identify potential suppliers to contact.
- Publish the Invitation for Bid (IFB) opportunity and provide the IFB to all interested suppliers.
- Complete a public notification of the IFB opportunity at least once per week for two weeks if purchase price is above SAT.
- Ensure the IFB is directly mailed or emailed to at least two suppliers.
- Hold a pre-bid meeting: Must be at least two weeks prior to Proposal due date.
- Offer an appropriate Question and Answer timeframe (the week following the pre-bid meeting): All questions and answers need be provided to all bidders in writing.
- Timestamp bids as they are received.

- Open bids publicly on the specified date and time.
- Award contract to lowest priced responsive and responsible bidder.
- Maintain documentation from all bidders and IFB Process.

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RFPs:

This procurement method is used when conditions are not appropriate for entertaining sealed bids. This procurement method may result in either a fixed-price or cost-reimbursement contract. The contract is awarded in accordance with the following requirements:

- Requests for proposals require public notice via local newspaper (at least once per week for two weeks), and all evaluation factors and their relative importance must be identified. Proposals must be solicited from multiple qualified entities (**at least two**). To the maximum extent practicable, any proposals submitted in response to the public notice must be considered.
- The recipient or subrecipient must have written procedures for conducting technical evaluations and making selections.
- Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the recipient or subrecipient considering price and other factors.

RFP Timeline:

- Perform a Cost/Price Analysis: Research current market conditions.
- Develop product and technical specifications for the purchase.
- Develop evaluation criteria.
- Identify potential suppliers to contact.
- Publish the Request for Proposal (RFP) opportunity and provide the RFP to all interested suppliers.
- Public notification of the bid opportunity is required for at least once per week for two weeks if above SAT.
- The Sponsoring Authority's RFP may also be posted on its website but must be directly mailed or emailed to at least two suppliers.
- Hold a pre-proposal meeting at least two weeks prior to the proposal due date.
- Question and Answer timeframe (the week following the pre-proposal meeting): All questions and answers need be provided to all bidders in writing.
- Timestamp proposals as they are received.
- Evaluate all RFP's received by the due date and time. Evaluation should be completed by at least three different persons.
- Negotiation with top scoring proposal is allowed.
- Award contract to the most advantageous proposal.
- Maintain documentation from all bidders and RFP Process.

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2. if the contract includes a ceiling price that the contractor exceeds at its own risk

Noncompetitive Proposal Procedures:

If items are available only from a single source when the award of a contract is not feasible under small purchase or formal procurement, noncompetitive proposal procedures can be used.

- Written Specifications will be prepared and provided to the vendor.
- The District will be responsible for the documentation of records demonstrating the decision to use the non-competitive proposal.
- The District will be responsible for documentation that the actual product of service specified was received.
- The District will be responsible for reviewing the procedures to be certain all requirements for using single source or non-competitive proposals are met.

Costs incurred must be necessary and cost-effective.

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Avoid the acquisition of unnecessary or duplicative items.

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2. if the contract includes a ceiling price that the contractor exceeds at its own risk

Procurement transactions must provide full and open competition.

The School Board has the responsibility for ensuring compliance.

The Sponsoring Authority will ensure compliance in Micro Purchasing in the following way(s):

1. after a determination that no other contract is suitable; and
2. if the contract includes a ceiling price that the contractor exceeds at its own risk

The Sponsoring Authority will ensure that procurement transactions provide full and open competition by doing the following: The Sponsoring Authority accomplishes this by conducting internet searches, including using vendor searches, and by using other less technologically-advanced tools to locate and identify potential contractors. Federal guidelines are followed regarding the number of bids required.

SFA must maintain records sufficient to detail the history of procurement. Minimum of three years after final payment.

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1. after a determination that no other contract is suitable; and
2. if the contract includes a ceiling price that the contractor exceeds at its own risk

The Sponsoring Authority will ensure they maintain records sufficient to detail the history of procurement by keeping records of purchases for three years.

Solicitations must incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured.

The School Board has the responsibility for ensuring compliance.

The Sponsoring Authority will ensure compliance in Micro Purchasing in the following way(s):

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All solicitations will incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description will not, in competitive procurements, contain features which unduly restrict competition. The description will include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, will set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications will be avoided, if at all possible.

Solicitations must identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

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The Sponsoring Authority will ensure compliance in Micro Purchasing in the following way(s):

1. after a determination that no other contract is suitable; and
2. if the contract includes a ceiling price that the contractor exceeds at its own risk

The Sponsoring Authority will ensure that solicitations identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals by reviewing proposals and bids for compliance.

Buy American:

School food authorities (SFAs) must purchase domestic agricultural commodities and food products. For foods that are unprocessed, the agricultural commodities must be domestic, and for foods that are processed, they must be processed domestically using domestic agricultural food components that are comprised of over 51 percent domestically grown items, by weight or volume. A domestic creditable food component is the portion that counts toward a reimbursable school meal (meats/meat alternates, grains, vegetables, fruits, and fluid milk).

SFA requires suppliers to attest that their final food products are either 100 percent domestic commodities or a food product containing over 51 percent domestic food components, by weight or volume.

The limit on the percent of total commercial food costs from non-domestic foods will be phased in over seven school years.

- Beginning in SY 2025-26, the non-domestic food purchases cap will be 10 percent.
- Beginning in SY 2028-29, the non-domestic food purchases cap will be 8 percent.
- Beginning in SY 2031-32, the non-domestic food purchases cap will be 5 percent.

SFA requires suppliers to document the consideration of domestic alternative foods before approving an exception.

When an exception is approved, SFA requires suppliers to document and demonstrate one of the following:

- The product is listed on the Federal Acquisitions Regulations Non-available
- The food or food product is not produced or manufactured in the United States in sufficient and reasonably available quantities of a satisfactory quality; or
- Competitive bids reveal the cost of a United States food or food product is significantly higher than the non-domestic product.

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The Sponsoring Authority will ensure that the SFA adheres to Buy American by confirming that the company purchased from is American.

WHO IS RESPONSIBLE?

The following outlines the roles and responsibilities assigned to those involved in the Sponsoring Authority purchasing process.

Employee	Identifies the need and obtains approval of the responsible site and/or program manager(s), to initiate the purchasing process for goods or services.
Superintendent	Approves purchase requisitions. Establishes purchasing standards and specifications. Verifies correct usage of budget codes to assure compliance with state regulations. Verifies the responsible program has adequate funds to complete purchases.
Business Office/District Secretary	Reviews requisitions, prints purchase orders, and issues to vendor. Enters receiving for items purchased on a PO. Pays invoices for items purchased on a PO, matching the invoice to the purchase order, verifying pricing, and attaching related packing slips and receiving documentation. Places orders to replenish inventory

	stock items. Collects payments for items sold on auction. Establishes, by direction of the School Board and Superintendent, purchasing procedures and follows School Board policy. Presents bid results and recommendations for approval of bids to the School Board. Prepares quotes, proposals, and bids. Determines legality of all purchases. Pays the vendor after the materials, equipment, or services are received and an invoice has been submitted by the vendor.
School Board	Establishes purchasing policies to ensure goods and services are purchased in a prompt, cost effective, and legal manner.