

CHILD NUTRITION (CACFP) PROCUREMENT PLAN

Center/Sponsor Name: _____

SECTION I - PROCUREMENT PLAN GENERAL REQUIREMENTS

This plan is for procuring items for use in the Child Nutrition Program is as follows:

1. The procurement plan provides for free and open competition, transparency in transactions, comparability, and documentation of all procurement activities.
2. The following **Code of Conduct** will be expected of all persons who are engaged in the awarding and administration of contracts supported by Child Nutrition reimbursement funds. These written standards of conduct include:
 - a. No employee, officer, or agent shall purchase or establish a contract if a conflict of interest, real or apparent, would be involved. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award:
 - i. The employee, officer, or agent;
 - ii. Any member of the immediate family;
 - iii. His or her partner;
 - iv. An organization which employs or is about to employ one of the above.
 - b. Employees, officers, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.
 - c. The purchase of any item or service from a contractor for individual use is prohibited.
 - d. No item purchased with nonprofit child nutrition funds will be removed from the premises by personnel.
 - e. Penalties for violation of the standards of code of conduct of the Child Nutrition Program (CNP) should be:
 - i. Reprimand by Board
 - ii. Dismissal by Board
 - iii. Any legal action necessary
3. Regardless of procurement method, the following factors will be determined regarding the allowable costs:
 - a. Be necessary and reasonable for proper and efficient administration of the program(s)
 - b. Be allocable to federal awards applicable to the administration of the programs(s)
 - c. Be authorized and not prohibited under state and local laws
5. All staff conducting purchasing will be trained on the procurement procedures.
6. All purchasing records will be maintained no less than the current year plus 3 additional years.
7. **Geographical Preference**

The use of statutorily or administratively imposed in-state or local geographic preferences for procurements under USDA entitlement programs is prohibited, except for unprocessed locally grown or locally raised agricultural products. The Food, Conservation, and Energy Act of 2008 (Public Law 110-246, Section 4302), amended Section 9(j) of the National School Lunch Act (NSLA) to allow

institutions receiving funds through CNP to apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products.

When geographic preference is used, an SFA must still get quotes from several farmers when procuring unprocessed locally grown or locally raised agricultural products so that competitors have an opportunity to compete for the bid.

8. The sponsor will maintain a **CHART OF PROCEDURES** indicating how all items are procured and how often they are procured.

SECTION II – PURCHASING EQUIPMENT

Name and Title of those responsible for Purchasing Equipment: *(list the names and titles of all those who are responsible for purchasing equipment at the Center/Sponsor.)

If the amount of purchases for equipment is greater than \$5,000, the following procedure will be used.

1. Written specifications will be prepared and provided to vendors.
2. Each vendor will be contacted and given an opportunity to provide a price quote on the same specifications. A minimum of two vendors shall be contacted.
3. The price quotes will receive appropriate confidentiality before award.
4. If using USDA funding for the purchase, the Center/Sponsor must seek prior approval from Oklahoma Child Nutrition Programs unless the equipment is placed on the Equipment Pre-Approval list located in the Resource Library.
5. Quotes will be awarded by the person(s) listed above in Section II. Quotes awarded will be to the lowest and best quote based upon quality, service availability, price, and/or

6. The person(s) listed above in Section II will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, and **written specifications**.
7. The person(s) listed above in Section II will be responsible for documentation that the actual product specified is received.

Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000. See also §200.12 Capital assets, 200.20 Computing devices, 200.48 General purpose equipment, 200.58 Information technology systems, 200.89 Special purpose equipment, and 200.94 Supplies.

SECTION III – MICROPURCHASING

If the amount of purchases for items is less than \$10,000 *or less than the center/sponsors micropurchasing threshold*, the following procedure will be used.

Select one:

- Purchases below \$10,000
- Purchases below \$ _____ (*List Center/Sponsor threshold if it is below \$10,000, must use most restrictive. If the district wants a higher threshold than \$10,000, State Agency approval is required*))

1. All purchases using micro-purchase will be distributed equitably among multiple (*3 or more*) qualified suppliers. ***The Institution cannot use only one source when using micro-purchase.***
2. Purchases will not be separated into 2 or more purchases to meet or be below the \$10,000 threshold.
3. The price quotes will not be required. Competition is not required.
 - a. Considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly (2 CFR 200.320a)(1)(ii)).
4. When practicable, micro-purchases will be distributed equitably among qualified suppliers.
5. _____ will be responsible for documentation of purchase.
(List person(s) name)

Note: Federal threshold of \$2,000 is applicable in the case of acquisitions for construction subject to the Davis-Bacon Act

SECTION IV – SMALL PROCUREMENT

Name and Title of those responsible for Small Purchase Procedures: *(list the names and titles of all those who are responsible for Small Purchase at Center/Sponsor.)

If the amount of purchases for items less than \$250,000 *or the Center/Sponsor's small purchase threshold*, Small Purchase Procedures must be followed. Quotes documented from an adequate number of qualified sources will be required.

Select one:

- Purchases below \$250,000
- Purchases below _____ (*List Center/Sponsor threshold if it is below \$250,000, must use most restrictive*)

Small Purchase procedures will be applied on ***the basis of a:***

_____ Center/Sponsor-wide

_____ Each Individual Site
_____ Combination of above (specify): _____

1. Written specifications will be prepared and given to a minimum of two vendors.
2. The person(s) stated above in Section IV will be responsible for contacting potential vendors when price quotes are needed.
3. Quotes will be awarded by person(s) stated above in Section IV. Quotes awarded will be to the lowest and best quote based upon quality, service availability, price, etc.
4. The person(s) stated above in Section IV will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, and **written specifications**.
5. The person(s) stated above in Section IV will be responsible for documentation that the actual product specified is received.
6. Any time an accepted item is not available, the person stated in Section IV will select the acceptable alternate. Full documentation will be made available as to the selection of the acceptable item. Substituted items will not be made at the vendor's discretion.

SECTION V – FORMAL PROCUREMENT – PIGGYBACK/CO-OP

The only formal procurement is our institution purchases food from a vendor procured by an organization or center (mark box is piggybacking or in a co/op)

Definition of piggybacking or Co-op: Is an organization or a Center that has an agreement with a vendor and allows other organizations or centers can use that contract. Many times they get better pricing as many people are purchasing the same foods and supplies from the same vendor under the same contract.

Formal bid procedures will be applied on ***the basis of a PIGGY BACKING***

Name of the Vendor used: _____

Name of the organization that procured the vendor: _____

Name of the person(s) that procured the contract: _____

Phone number and/or email address of contact: _____

Note: For the child nutrition review, the institution either needs a copy of the contract along with documentation showing this organization is able to purchase on the contract OR the name of the person and contact information of who procured the goods and services. OSDE will contact the person in charge of the contract to ensure procurement was conducted correctly.

CHART OF PROCEDURES

The _____ center will purchase the following products or group of products and services as per the stated purchase period using the identified procurement method. *Price quote time frame* period is defined as the time frame for which bids or quotes are obtained and awarded.

PRODUCT	PRICE QUOTE TIME FRAME	PROCUREMENT METHOD USED
Milk	_____	_____
Bread	_____	_____
Fruits (canned/frozen)	_____	_____
Vegetables (canned/frozen)	_____	_____
Fruit (Fresh)	_____	_____
Vegetables (Fresh)	_____	_____
Meats	_____	_____
Processed Food Items (CN labeled)	_____	_____
Plates/Utensils	_____	_____
Chemicals - Cleaning Products	_____	_____
Non-Food related supplies	_____	_____
Small equipment	_____	_____
Large equipment	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

FORMAL PROCUREMENT CHECKLIST
**Terms and information regarding Formal Procurement
are listed on pages 3-5 and 6-9 of the Procurement Plan**

FORMAL PROCUREMENT REQUIREMENTS

___ **Newspaper Advertisement** (all formal bids) newspaper advertised: _____

___ **Solicitation sent to a minimum of 2 vendors** Vendor 1: _____

Vendor 2: _____ Vendor 3: _____

___ **Evaluation criteria for RFP.** An RFP is awarded based on overall scoring. The evaluation scoring should be given with the solicitation. **PRICE** must be given the most points. Other items scored on can be – Experience/references, Diversity in products and/or services, Quality of products, Cost & Performance Bonds, Personnel Management, Business Practices, Accounting and Reporting systems, and Service Capability plan are examples of how an RFP can be evaluated. **(IFB/Sealed Bids are awarded lowest price only. No other factors can determine the award)**

FORMS & CLAUSES

___ **USDA Equal Opportunity information** (contracts \$10,000 or more)

___ **Termination for Cause information** (contracts \$10,000 or more)

___ **Clean Water Act provision** (contracts \$150,000 or more)

___ **Contract work Hours and Safety Standards Act** (contracts \$2,500 or more)

___ **Nonkickback Affidavit** (Purchase orders over \$25,000)

___ **Davis-Bacon information** (Construction contracts \$2,000 or more)

___ **Debarment & Suspension form** (all contracts)

___ **Byrd Anti-Lobbying form** (contracts \$100,000 or more)