

**School Nutrition Procurement****BIDDING**

In all applicable cases, food, food products, supplies, and equipment purchased with Food Service funds shall be procured in a manner that provides full and open competition consistent with the standards in applicable federal regulations<sup>1</sup> and by the following procedures:

1. If the total amount of purchases for like items is \$~~4~~30,000 (published SFA's) or more, formal bid procedures will be utilized. Formal bid procedures will be as follows:
  - a) An announcement of an Invitation for Bid (IFB) or a Request for Proposal (RFP) will be placed in the District website as well as CKEC website to publicize the intent of the Child Nutrition Program Sponsor to purchase needed items. The advertisement for bids/proposals or legal notice shall be run for at least two (2) weeks.
  - b) The Food Service Director/designee will open and tabulate bids.
  - c) Bids will be submitted to the Board for approval.
2. If it is necessary to make an emergency purchase in order to continue service, the purchase shall be made, and a log of all such purchases shall be maintained and reviewed by the purchasing personnel and Principal. The log of emergency purchases shall show:
  - a) Item name
  - b) Dollar amount
  - c) Vendor
  - d) Reason for emergency
3. Noncompetitive negotiations will be used to purchase items: (1) which are available from a single source, (2) one time purchases of a new food item in order to determine student acceptance, and (3) samples for testing purposes. A log of all noncompetitive negotiation purchases shall be maintained and reviewed by the review official.
4. The following records will be maintained for a period of three years plus the current year:
  - a) Records of all phone quotes
  - b) Logs of all emergency and noncompetitive purchases
  - c) All written quotes and bid documents
  - d) Comparison of all price quotes and bids with the effective dates shown
  - e) Price comparison showing bid or quote award
  - f) Log of approval substitutions.

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**BIDDING (CONTINUED)**

5. The following conduct will be expected of all persons who are engaged in the award and administration of contracts supported by the School Food Service Program Funds:

No employee, officer or agent of the Board shall participate in selection or in the award or administration of a contract supported by Program funds 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.

- a) The employee, officer, or agent;
- b) Any member of his immediate family;
- c) His or her partner;
- d) An organization which employs or is about to employ one of the above.

The Board 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.

**PENALTIES**

Failure of any employee to abide by the above-stated code could result in a fine, or suspension, or both, or dismissal. Interpretation of the code will be given at any time by contacting the Superintendent or Food Service Director. The Board will not be responsible for any other explanation or interpretation which anyone presumes to make on behalf of the Board.

**REFERENCES:**

- <sup>17</sup> CFR 3016.36
- 7 CFR 210.21
- KRS 160.290
- KRS 424.260
- KRS 45A.345 – KRS 45A.460
- 702 KAR 6:010

**RELATED POLICY:**

- 04.32