

Procurement Plan Prototype for Sponsor

Campbellsville Independent School District

Name of Sponsor

PROCUREMENT PLAN
SUMMER FOOD SERVICE PROGRAM
KDE SCN

This procurement plan contained on the following pages will be implemented on from 6-9-25 (date) forward until amended. All procurements must adhere to free and open competition. Source documentation must be available to determine open competition, the reasonableness, the allow-ability and the allocation of costs.

Chairman or Authorized Executive of Organization

Date

Mwana Ewbridge
Authorized Sponsor Representative Signature

5/21/25
Date

PROCUREMENT PLAN

The CISD (name of sponsor) plan for procuring items for use in the Summer Food Service Program (SFSP) is as follows. The procurement plan provides for free and open competition, transparency in transactions, comparability, and documentation of all procurement.

Part 1: Code of Ethics/Conduct governing the procurement of goods and services using SFSP funds

The organization seeks to conduct all procurement procedures:

- in compliance with stated regulations; and
- to prohibit conflicts of interest and actions of employees engaged in the selection, award and administration of contracts.

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal, State, or local funds if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which 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 a firm considered for a contract.

The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, organizations may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.

Disciplinary actions, as outlined in district policy will be applied for violations of such standards by officers, employees, or agents of the organization.

CISD (sponsor name) procedures seek to avoid acquisition of unnecessary or duplicative items. Consideration is given to choose a method of procurement to obtain a more economical purchase. Where appropriate, an analysis will be made to determine the most economical approach.

Part 2: Procurement Methods used to Purchase Goods and Services using SFSP funds

CISD (sponsor name) shall choose the procurement method most aligned with how goods and/or services are purchased according to the expected program year budget for one or more categories below:

Please check applicable categories

- ☐ Unitized/vended meals
- ☒ Food Items
- ☒ Non-food Items

The methods listed below for procuring goods and services are in accordance with federal regulations outlined in 7 CFR 225 and 7 CFR 200.

If the amount of purchases is more than \$250,000, or sponsor's approved threshold if less, formal procurement procedures will be used as required by 7 CFR §200. Informal procurement procedures (small purchase) will be required for purchases under \$250,000 or sponsor board-approved small- purchase threshold.

Please select applicable procurement method(s) utilized by the organization by checking the box next to method.

☒ **Micro Purchase:** each transaction and/or aggregate purchase \$10,000 or less.

Micro-purchase means a transaction to purchase of supplies or services using simplified acquisition procedures in which the aggregate amount does not exceed \$10,000. Micro-purchases may be awarded without soliciting competitive quotations if the price is considered to be reasonable and must be equitably distributed among qualified suppliers. For example, a sponsor must not make all purchases from one source. The sponsor must make purchases from all qualified sources equally.

The distribution of purchases among qualified suppliers can happen in one of two ways; as a single purchase or over several purchases. For example, a sponsor procuring apples may purchase:

1. Apples from various suppliers at the same time (the total of the purchases cannot exceed \$10,000), or
2. Apples from one supplier for the first purchase (for \$10,000 or less) and apples purchased from a different supplier (for \$10,000 or less) the next time apples are purchased, etc.

Micro-purchase procedures:

- a) Contact potential vendor/contractor.
- b) Document records of the purchase, name of vendor/contractor, price and the written specifications.
- c) Document that the actual product was received.

☒ **Informal Procurement/Small Purchase:** transactions, purchases and aggregate category costs under \$250,000

Aggregate cost categories include:

- Milk and Dairy
- Protein/frozen meats
- Fresh fruits and vegetables
- Frozen foods
- Bread, pasta and bakery products
- Grains and dry goods
- Canned fruits and vegetables
- Condiments and spices
- Kitchen supplies/disposables

Small Purchase means purchases between \$10,000-\$250,000 or most restrictive threshold based on Sponsor's board or organizational restrictions (2 CFR Part 200.320(b)). This threshold allows for small purchase procurements to be conducted to include:

- a) Pre-solicitation: Get to know prospective vendors, who to contact for price quotes and conduct market research to find out what is available.

- b) Written Specifications will be prepared and provided to each vendor.
- c) Each vendor will be contacted and given an opportunity to provide a price quote on the same specifications. A minimum of three vendors shall be contacted. (Request for Quotation document template)
- d) Request for Quotation includes the vendor business name and address, contact method, name of person providing quote, date the price was quoted.
- e) Quotes awarded will be to the lowest and best quote based upon price, quality, service and delivery, and/or product specification. If lowest bid is not chosen, justification must be documented.

☒ **Formal Procurement:** Purchase of goods and services that exceed the threshold of \$250,000

The following two formal procurement options are used for procuring a contract over \$250,000:

- A. When a formal procurement method is required, the following **COMPETITIVE SEALED BID or an Invitation for Bid (IFB) or COMPETITIVE NEGOTIATION in the form of a Request for Proposal (RFP)** procedures will apply:
 - 1. An announcement of an **Invitation for Bid (IFB) or a Request for Proposal (RFP)** will be placed in the Central Kentucky News Journal (Newspaper/media, IPS Website, other internet source) to publicize the intent of the Sponsor to purchase needed items. The advertisement for bids/proposals or legal notice will be run for 7 Days (Length of Time).
 - 2. The developer of written specifications or descriptions for procurements will be prohibited from submitting bids or proposals for such products or services.
 - 3. The IFB or RFP will clearly define the purchase conditions. The following, shall be addressed in the procurement document:
 - 1) Contract period
 - 2) Sponsor is responsible for all contracts awarded (statement)
 - 3) Date, time, and location of bid opening
 - 4) How vendor is to be informed of bid acceptance or rejection
 - 5) Delivery schedule
 - 6) Set forth requirements which bidder must fulfill in order for bid to be evaluated
 - 7) Benefits to which the Sponsor will be entitled if the contractor cannot or will not perform as required
 - 8) Statement assuring positive efforts will be made to involve minority and small business
 - 9) Statement regarding the return of purchase incentives to the Sponsor's non-profit SFSP account
 - 10) Statement regarding the return of all discounts, rebates and credits for all cost reimbursable contracts
 - 11) Termination provisions and the basis for any settlement for all procurement over \$10,000.00

- 12) Provision requiring compliance with Executive Order 11246 entitled "Equal Employment Opportunity" as amended by Executive Order 11375 and as supplemented in the Department of Labor regulations required for all contracts over \$10,000.00
- 13) Procuring instrument to be used are purchase orders from firm fixed prices after formal bidding
- 14) Escalation/De-escalation clause based on appropriate standard or cost index
- 15) Specific bid protest procedures
- 16) Provision requiring access by duly authorized representatives of the Sponsor, State Agency, United State Department of Agriculture, or Comptroller General to any books, documents, papers and records of the contractor which are directly pertinent to all negotiated contracts
- 17) Method of shipment or delivery upon Contract award
- 18) Provision requiring contractor to maintain all required records for **three** years after final payment and all other pending matters are closed for all negotiated contracts
- 19) Description of process for enabling vendors receive or pick up orders upon Contract award
- 20) Provision requiring the contractor to recognize mandatory standards and polices related to energy efficiency which are contained in the State Energy Plan issued in compliance with the Energy Policy and Conservation Act (PL 94-165)
- 21) All contracts over \$100, 000.00 will require compliance with the Clean Air Act issued under Section 306, Executive Order 11738
- 22) Signed Certificate of Lobbying for all contracts over \$100,000
- 23) Signed statement of non-collusion
- 24) Signed Debarment/Suspension Certificate or statement included in contract or copy of Excluded Parties List System (EPLS).
- 25) Provision requiring "Buy American" as outlined in Policy Memorandum 210.21-14; specific instructions for prior approval of any and all of non-domestic product. This applies only to School Food Authority Sponsors in the SFSP.

Specifications will be prepared and provided to potential contractors desiring to submit bids or proposals for the products or services requested. Vendors will be selected by the following methods: Check all that apply.

1. ☒ Price
2. ☒ Product Specification
3. ☐ Service and Deliveries
4. ☐ Geographic Preferences
5. ☒ Overall Qualification

If any potential vendor is in doubt as to the true meaning of specifications or purchase conditions, an interpretation will be provided.

1. The Food Service Director (Title of the Person) will be responsible for securing all bids or proposals.
2. The Food Service Director (Title of the Person) will be responsible to ensure all Sponsor procurements are conducted in compliance with applicable Federal regulations, State General Statutes or policies of the Sponsor's Board of Director.

3. In awarding a competitive negotiation (RFP), a set of award criterion in the form of a weighted evaluation sheet will be provided to each bidder in the initial bid document materials. Price alone is not the sole basis for award, but remains the primary consideration when awarding a contract. Following evaluation and negotiations a firm fixed price or cost reimbursable contract is awarded.
4. The contracts will be awarded to the responsible bidder/proposer whose bid or proposal is responsive to the invitation and is most advantageous to the Sponsor, price, and other factors considered. Any and all bids or proposals may be rejected in accordance with law.
5. Sign on the bid tabulation of competitive sealed bids or the evaluation criterion score sheet of competitive proposals signifying a review and approval of the selections.
6. Review the procurement system to check and ensure compliance with applicable laws.
7. Document that the actual product specified is received.
8. Any time an accepted item is not available, the organization will select the acceptable alternate. The contractor must inform organization by email (when) a product is not available. School Food Authority SFSP sponsors only: In the event a non-domestic agricultural product is to be provided to the sponsor, the contractor must obtain, in advance, the written approval of the product. The organization must comply with the Buy American Provision.
9. Full documentation as to the reason an accepted item was unavailable, and to the procedure used in determining acceptable alternates, will be available for audit and review.
10. The organization will be responsible for maintaining all documentation of the procurement process.

B. If items are available only from a single source *when the award of a contract is not feasible under small purchase, sealed bid or competitive negotiation*, NON-COMPETITIVE NEGOTIATION procedures will be used:

1. Written Specifications will be prepared and provided to the vendor.
2. The organization will be responsible for the documentation of records to fully explain the decision to use the non-competitive negotiation. The records will be available for audit and review.
3. The organization will be responsible for documentation that the actual product or service specified was received.
4. The organization will be responsible for reviewing the procedures to be certain all requirements for using single source or non-competitive negotiation are met.
5. Non-competitive negotiations shall be used for one-time purchases of a new food item in order to determine food acceptance by children and for samples for testing purposes. A record of non- competitive negotiation purchase shall be maintained by (Sponsor Official). The record of non- competitive purchases shall include, at a minimum, the following:
 - a. Item name
 - b. Dollar amount
 - c. Vendor, and
 - d. Reason for non-competitive procurement

6. A member or representative of the local Board or Governing Board will approve, in advance, all procurements that result from non-competitive negotiations.
7. The contractor must obtain, in advance, the written approval of the product. The organization must comply with the Buy American Provision, if a SFA.
8. Full documentation as to the reason an accepted item was unavailable, and to the procedure used in determining acceptable alternates, will be available for audit and review.
9. The organization will be responsible for maintaining all documentation of the procurement process.

C. Emergency or "Pressing Need" Purchases If it is necessary to make a one-time emergency procurement to continue service or obtain goods, the sponsor shall notify the Summer Nutrition Program Manager before the purchase is made, and a log of all such purchases shall be maintained by Food Service Director (Sponsor Official). The following emergency procedures shall be followed.

All emergency procurements shall be approved by Food Service Director (Sponsor Official). At a minimum, the following emergency procurement procedures shall be documented:

- a. Item name
- b. Dollar amount
- c. Vendor, and
- d. Reason for emergency

D. The contractor shall agree to retain all books, records and other documents relative to the contract agreement for three (3) years after final payment, or until audited by sponsor, whichever is sooner.

The sponsor, its authorized agents, and/or USDA auditors shall have full access to and the right to examine any of said materials during said period.

E. The sponsor shall agree to retain all books, records and other documents relative to the award of the contract agreement for three (3) years after final payment. Specifically shall maintain, at a minimum, the following documents:

- Written rationale for the method of procurement;
- A copy of the RFP or IFB;
- The selection of contract type;
- The bidding and negotiation history and working papers;
- The basis for contractor selection;
- Approval from the State agency to support a lack of competition when competitive bids or offers are not obtained;
- The basis for award cost or price;
- The terms and conditions of the contract;
- Any changes to the contract and negotiation history;
- Billing and payment records;
- A history of any contractor claims; and
- A history of any contractor breaches