



**White Settlement ISD
Child Nutrition Food Services Department**

PROCUREMENT PROCEDURES MANUAL

Effective July 1, 2023

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White Settlement, TX 76108
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White Settlement ISD – Child Nutrition Department Procurement Procedures Manual

This Procurement Procedures Manual (2 CFR 200.318) has been created to ensure that all purchases made with the Child Nutrition (CN) Federal Funds are in compliance as regulated by all Federal, State, and Local written policy.

White Settlement ISD uses the following resources for all procurement methods:

1. Super Circular 2 CFR part 200
2. Texas Department of Agriculture’s (TDA) “Administrative Review Manual,” Section 16 and 17 (including 17a)
3. Education Department Guidelines and Regulations (EDGAR)

The following standards will be applied to all procurement methods. Solicitations will:

1. Allow for “full and open” competition.
2. Be handled with integrity and fairness to all potential bidders.
3. Award responsive and responsible contractors
4. Be fully documented to allow for complete transparency and follow the 5-years record retention requirement

White Settlement ISD allows the Child Nutrition Department to participate in the following:

1. Agreements
 - a. Inter-governmental agreements (operator-only/ESC)
 - b. Third Party Cooperatives
 - c. Agents
2. Informal Purchases
 - a. Micro-Purchase: any purchase that does not exceed the State threshold of \$10,000.
 - b. Small Purchase Acquisition: any purchase that exceeds \$10,000 but is not greater than the State threshold of \$50,000.
 - c. White Settlement ISD does not have a more restrictive Small Purchase threshold.
3. Formal Purchases
 - a. Competitive Bid (IFB-Invitation for Bid)
 - b. Competitive Proposal (RFP-Request for Proposal)
 - c. Non-Competitive Proposal. TDA “pre-award approval” required.
4. Other Purchases
 - a. Sole Source – as determined through a failed procurement method due to no competition. Requires TDA approval prior to awarding the vendor or purchasing from the vendor.
 - b. Capital Expenditures – any single piece of equipment that exceeds \$5,000 in cost must be approved by TDA prior to purchase.

White Settlement ISD will use the following 5 phases of procurement:

1. **Planning.** Below is a list of the first steps that will be taken prior to any purchase.
 - a. What is needed in the way of product/products and/or services?

- b. When are the products or services needed?
 - c. What is an estimated cost of the products or services needed?
 - i. Multiple resources will be used to determine an “estimate” of the value or cost.
 - ii. The cost/price analysis will be used to determine the most appropriate procurement method.
 - d. How we will pay for the products and/or services.
2. **Forecasting.** Below is a list of the resources to be used for forecasting our needs.
- a. We will review our past program to determine if the products or services were used in the previous program year.
 - b. Current program needs will be assessed and product amounts and/or service needs will be determined.
 - c. Upcoming program years will be considered in regard to future needs and possible renewal or extensions of contracts if necessary.
3. **Soliciting.** The following general steps will be taken to start the solicitation process. Each procurement method is more specifically outlined later in this manual.
- a. Based on the cost/price analysis in our planning phase, the most appropriate procurement method will be used.
 - b. A general specification with details will be written to document the product or service needed.
 - c. Terms and conditions of the contract will be outlined and reviewed to ensure the solicitation clearly describes our needs and deliverables required.
 - d. Each solicitation will include the following information:
 - i. Deadline (date and time) the quotes or responses are to be received.
 - ii. The method the quotes or responses are to be submitted and to whom.
 - iii. Evaluation criteria, if any is used, clearly outlined to include scoring rubric.
 - iv. Date and time by which the solicitation will be awarded.
 - v. Term and Conditions of the contract and if any renewals or extensions will be allowed.
 - vi. All USDA Federal and State-required certifications and affidavits if applicable to the procurement method used.
 - e. Research will be done to identify potential suppliers.
4. **Awarding.** Based on the procurement method, the following general processes will be used:
- a. A winner will be selected using the following methods.
 - i. Equitable distribution for all Micro-Purchases.
 - ii. Low bid winner for Small Purchases and IFB’s.
 - iii. A single winner through evaluation criteria for Small Purchases and RFP’s.
 - iv. Pre-award approvals must be obtained from TDA for any solicitation that is deemed non-competitive or sole source.
 - v. Multiple winners are selected for RFP’s when a “line-item” award approach is taken to procure the best price for each product specified in the solicitation.
5. **Contract Management.** The following items will be monitored during the life of an awarded contract by the child nutrition department to ensure compliancy.
- a. Use of our Child Nutrition Federal Funds is compliant with all Federal, State, and local regulations.
 - b. That all specifications, technical requirements, and terms and conditions of all contracts are executed correctly.
 - c. That we are not charged for duplicative services.
 - d. Quantities specified are made available and delivered.
 - e. Delivery times and schedules are being met per contract terms.

- f. Product deliveries and/or services are occurring at the correct location if multiple locations are part of the awarded contract.
- g. Products and/or services are meeting the specifications as described in the solicitation.
- h. Substitutions of products are being handled as outlined in the Terms and Conditions and are adequate to the specified product.
- i. Vendor response time to product or service issues is appropriate in regard to each situation, if any.

Procurement Methods: Informal and Formal (2 CFR 200.320)

White Settlement ISD will follow the below steps with each procurement method.

1. Micro-Purchases.

The micro-purchase method is an “Informal Procurement Method” for purchases where the aggregate value in a single transaction is at or below \$10,000. This enables the District to purchase supplies or services without soliciting competitive quotes if the District considers the price reasonable. The District may purchase products and/or services that are similar or dissimilar, purchased as a single or collective unit.

- a. All **unplanned, non-routine** purchases with an aggregate total that does not exceed the threshold of \$10,000 are allowed (2 CFR 200.67) and will include:
 - i. Documentation that explains the reason for the purchase and vendor name.
 - ii. List of items or service purchased.
 - iii. Receipt.
 - iv. All documentation will be kept in a file labeled “Micro-Purchases.”
- b. Types of Micro-Purchases allowed:
 - i. Emergency and/or equipment repair parts
 - ii. Small to medium catering events
 - iii. Emergency food shortages
 - iv. Staff training and travel expenses
 - v. Small kitchen equipment purchases
- c. The following employee positions have permission to make a Micro-Purchase:
 - i. Child Nutrition Director
 - ii. Assistant Superintendent of Finance and Operations
 - iii. Business Director
 - iv. Purchasing Coordinator
- d. Eligible vendors.
 - i. Equitable distribution of purchases will be made to all suppliers within an appropriate proximity to the district’s school sites
 - ii. All suppliers within the city limits
 - iii. Only district-approved and qualified suppliers
- e. Payment for Micro-Purchases.
 - i. Petty Cash located at the Child Nutrition office
 - ii. PO to be created prior to the invoice payment. This is handled through the Business Office

2. Small Purchases.

The small purchase method is an “Informal Procurement Method” for purchases that exceed the micro-purchase threshold but have an aggregate amount no greater than the Simplified

Purchase Acquisition threshold of \$50,000. The District must contact a minimum of 3 potential suppliers and attempt to get a minimum of 2 quotes.

- a. Based on the determination through a cost/price analysis that a purchase will exceed the Micro-Purchase threshold (2 CFR 200.67) but will not exceed the State's/District's Simplified Purchase Acquisition (Small Purchase) threshold of \$50,000.
 - b. Allowable types of Small Purchases:
 - i. Single/one-time purchase with an aggregate amount between \$10,000<\$50,000
 - ii. Multiple purchases of same or similar products and/or services from a prime vendor during the fiscal year with an aggregate amount between \$10,000<\$50,000
 - c. White Settlement ISD will use the following steps to make a Small Purchase (2 CFR 200.320 [b])
 - i. Identify potential suppliers; who to contact for bids; what is available on the market.
 - ii. Write the product and/or service specification to include details but not restrictive as to exclude competition.
 - iii. Draft the solicitation to include contract terms and conditions, invoice methods, delivery and/or service requirements, duration of contract, and evaluation criteria if any is being used with the scoring rubric.
 - iv. Contact a minimum of 3 vendors (if possible) and provide each one with the same information to include all details of the solicitation. Emailed or faxed documents is the preferred method, but verbal delivery of solicitation details is allowed.
 - v. Document vendor responses to include:
 1. Vendor name and contact with email address and phone
 2. Contact method
 3. Price quoted to include the date received
 4. Duration of the price quote
 5. If less than 3 quotes are received, explanation of why this occurred will be included in the documentation
 - vi. Award will go to the most responsive and responsible vendor with the lowest price or highest evaluation score if used. A responsive vendor is one whose response conforms to all the material terms and conditions of the solicitation. A responsible vendor is one whose financial, technical, and other resources indicate an ability to perform the services required.
 - vii. All required documentation will be kept in the Child Nutrition office.
 - d. The following employee positions have permission to make a Small Purchase:
 - i. Child Nutrition Director
 - ii. Director of Business; Assistant Superintendent of Finance and Operations
 - iii. Purchasing Coordinator
 - e. Eligible vendors.
 - i. Only district-approved and qualified suppliers
 - f. Payment for Small Purchases.
 - i. PO to be created prior to the invoice payment. This is handled through the Business Office.
3. **Capital Expenditures.**
Texas Department of Agriculture (TDA) requires a CE to get pre-approval on expenditures for food service equipment or alterations to equipment, only if the total equipment "per unit" cost is greater than \$5,000.
- a. White Settlement ISD will submit a request for approval prior to purchasing the item via email to TDA including:

- i. District Name, CE ID, and contact information (phone and email address)
 - ii. Description of the equipment, including the purpose and how it supports the operation or maintenance of the District
 - iii. Provide an estimated cost and whether or not we have sought bid pricing
 - iv. Describe how the old equipment (if any) will be disposed of and acknowledge that any proceeds from the disposal will be used to offset the cost of the replacement
 - v. Acknowledge that any equipment purchased will be used exclusively (100%) by the District
4. **Competitive Sealed Bidding (IFB – Invitation for Bid).**
The competitive sealed bidding method is a “Formal Procurement Method” that is used when the contract value is at or above the Small Purchase threshold, which is \$50,000 in the state of Texas. The formal procurement method requires a District to post a public advertisement in a newspaper of general circulation for two consecutive weeks upon release of the solicitation. It is recommended that the District post the advertisement on their website or a trade website as well as email or make phone calls as a means of advertising to potential bidders.
- a. White Settlement ISD will ensure the following conditions:
 - i. A complete, adequate, and realistic specification or purchase description will be made available
 - ii. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price
 - iii. Evaluation criteria will be included in the solicitation in regard to determining a winner if the same price has been received from 2 or more different vendors
 - b. White Settlement ISD will adhere to the following requirements:
 - i. The solicitation will be publicly advertised
 - ii. Provide detailed information such as response time, date and time responses are to be received, how responses must be submitted, date and time of public opening, and any other pertinent details
 - iii. Provide product and/or service specifications that allow multiple responses
 - iv. Award the contract to the most responsive and responsible bidder. Factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest.
 - v. Any or all bids may be rejected if there is a sound documented reason
 - c. The following employee positions will participate in the IFB Procurement Method:
 - i. Child Nutrition Director; Director of Business; Assistant Superintendent of Finance and Operations
 - 1. Write product or service specifications
 - 2. Write the solicitation document
 - 3. Send the IFB to potential suppliers
 - 4. Participate in the opening of the submitted bid quotes and determine a winner
 - ii. Purchasing Coordinator
 - 1. Write the solicitation document
 - 2. Send the IFB to potential suppliers
 - 3. Participate in the opening of the submitted bid quotes
 - d. Eligible vendors.
 - i. Only district-approved and qualified suppliers
 - e. Payment for IFB Purchases.
 - i. PO to be created prior to the invoice payment. This is handled through the Business Office.

5. **Competitive Proposals (RFP – Request for Proposal)**

A request for proposal is a “Formal Procurement Method” used for purchases when an IFB is not appropriate. An RFP describes in a general way what is needed and requests that vendors submit a proposal for servicing the needs of the district. RFP’s can be used for either goods or services and require the prospective vendor to submit a technical proposal that explains how they will meet the objectives of the solicitation document and a cost element that identifies the costs to accomplish their proposal. Price is to remain the major consideration but can be one of many evaluation factors used to determine the most advantageous winner. The RFP also allows for negotiation as a means to obtain the best value or price.

- a. White Settlement ISD will ensure the following conditions:
 - i. A complete, adequate, and realistic specification or purchase description will be made available
 - ii. The procurement lends itself to a firm fixed price contract or cost reimbursable price
 - iii. The selection of the successful bidder will be made after an evaluation of criteria with price being the “heaviest weighted factor”
 - iv. Negotiation of price or best value will be handled with complete fairness and integrity
- b. White Settlement ISD will adhere to the following requirements and required documents (2 CFR 200.316 - 328):
 - i. The solicitation will be publicly advertised
 - ii. Solicitation document will include a cover sheet with the RFP description, contact information, issue date, closing date and opening date
 - iii. Written instructions and bidder information sheet to be completed by the proposer
 - iv. Clear product and/or service specifications
 - v. Clear description of district demographics and product usage (as relevant)
 - vi. Clearly stated evaluation criteria to include scoring rubric
 - vii. Standard and/or Special Terms and Conditions of the contract
 - viii. Discounts, Rebates, and/or credits provisions where applicable
 - ix. Questionnaires as appropriate
 - x. Reference Sheet
 - xi. **Certifications per ARM Section 17 and Appendix II to Part 200 of 2 CFR 200 (see the Appendix of Certifications)**
 - xii. Awarding of the contract:
 1. Evaluation will consist of product quality, services, or past performance, but not limited to, along with price as the heaviest weighted factor
 2. Cost plus percentage of cost will not be allowed as a basis for award (2 CFR 200.320)
 - xiii. Any or all bids may be rejected if there is a sound documented reason
- c. The following employee positions will participate in the RFP Procurement Method:
 - i. Child Nutrition Director; Director of Business; Assistant Superintendent of Finance and Operations
 1. Write product or service specifications
 2. Write the solicitation document
 3. Send the IFB to potential suppliers
 4. Participate in the opening of the submitted bid quotes and determine a winner
 - ii. **Purchasing Coordinator**
 1. **Write the solicitation document**
 2. **Send the IFB to potential suppliers**
 3. **Participate in the opening of the submitted bid quotes**
- d. Eligible vendors.

- i. Only district-approved and qualified suppliers
- e. Payment for RFP Purchases.
 - i. PO to be created prior to the invoice payment. This is handled through the Business Office.
- 6. **Non-Competitive Negotiation and Sole Source Procurements.**

These types of procurement methods are used to compensate for the lack of competition. This lack of competition may result from overly restrictive solicitation documents, an inadequate number of suppliers in the area or the procurement environment may have been compromised by inappropriate supplier actions (i.e., market allocation schemes). Non-competitive negotiation occurs after the solicitation (sealed bid, competitive negotiation, or small purchase) has been issued, but competition on that solicitation has been deemed inadequate.

 - a. Non-competitive negotiations or sole source procurements are restricted to specific situations and may only be used when:
 - i. Inadequate competition in a formal procurement method
 - ii. Public emergency exists
 - iii. Goods or services are only available from one manufacturer through only one supplier.
 - b. White Settlement ISD will obtain TDA's approval prior to award and purchase of products or services. **The Child Nutrition Director will** submit all requests for approval through the State Agency's online system, TX-UNPS.
 - c. The following employee positions will oversee the approval process for a Non-Competitive and/or Sole Source Procurement Method:
 - i. Child Nutrition Director; Director of Business; Assistant Superintendent of Finance and Operations; **Purchasing Coordinator.**

Bid/Proposal Questions and Protest Procedures

An interested party may protest any of the following situations:

1. Solicitation or other request for offers for a contract for the procurement of property or services.
2. Cancellation of a solicitation or other request.
3. Award or proposed award of a contract.
4. Termination of a contract, if the protest alleges that the termination was based on improprieties in the administration of the contract.

White Settlement ISD will do the following for every bid:

1. Include clear instructions in each solicitation document about questions and protest procedures.
2. Allow respondents to request clarification of information prior to the close of the bid/proposal.
3. Notify bidders that protest requests must be received a minimum of 3 business days prior to the close of the bid/proposal.

White Settlement ISD will do the following in response to bid protests:

1. Address all respondent protests within 24 hours of the bid award.
2. Follow all written procedures to resolve protests.

3. Provide evaluation scores and pricing at the request of the respondent.
 - a. Violations of law should be referred to the local, state, or Federal authority. (2 CFR, Section 200.318[k]).
4. Notify TDA when a protest is received.
 - a. The district will email TDA with the details of the protest to the following address: School.Operations@TexasAgriculture.gov
5. Retain all documentation related to a protest.
6. Address the request for additional information as an addendum to all respondents.
7. Ensure that all protests are addressed.

Economic Price Adjustments in Vendor Contracts

The economic price adjustments, which allow a District to adjust costs in the contract, must be tied to an appropriate standard or cost index. Relating the price adjustments in a contract to an index allows the District to ensure that increases under the contract are not without basis. For example, if fuel prices are increasing drastically, an appropriate index such as the Consumer Price Index (CPI) will reflect this change.

This index is preferred because the USDA uses this index for the National School Lunch Program (NSLP) yearly funding increases. The intention is that if the USDA increased funding by a certain percentage the District would be able to allow the increase in food cost to rise at the same percentage. Vendors will be able to bid on multi-year contracts that allow for inflation and the District will be able to maintain a consistent level of service and food cost percentage from year to year.

Applying Geographic Preferences in Procurement

As amended, the National School Lunch Act (NSLA) allows SFA's receiving funds through the CN Programs to apply a geographic preference when procuring unprocessed, locally grown, or locally raised agricultural products. This applies to operators of all of the School Lunch Programs.

White Settlement ISD will apply geographic preference to the procurement of agricultural products that:

1. Are unprocessed and retain their inherent character
2. Are locally grown or locally raised
3. Have not been cooked, seasoned, canned, or combined with any other products

USDA allows the entity to define local as long as it is not too restrictive. TDA allows the CE to define local as a boundary or area, such as counties, State, or multi-State as long as it is not too restrictive. Regulation prevents White Settlement ISD from awarding any contract based solely on "local," and White Settlement ISD will provide clear instructions and information in each solicitation as to our definition of local and evaluation criteria. White Settlement ISD will adhere to the policy of using their USDA Federal Funds in the most efficient way possible.

White Settlement ISD determines local as "within the United States territory and a distance of 100 miles from the Districts' main campus" (mileage may vary for items dependent on bidding preference).

Discounts, Rebates, and Credits

White Settlement ISD requires that all discounts, rebates, and credits accrue back to the school

nutrition account. The contractor will be required to identify the amount of each discount, rebate, or other applicable credit on bills and invoices presented to the White Settlement ISD. Contractors will be required to identify the method by which they will report discounts, rebates, and credits. All discounts, rebates, and credits will be tracked via monthly invoices or annual velocity reports. Contractors will be required to maintain documentation of costs, discounts, rebates, and credits and make those available to White Settlement ISD upon request.

Buy American Provision

White Settlement ISD adheres to the Buy American Provision (7 CFR 210.21) when purchasing commercial food products to be served in the district's SNP meals. This provision will be included in all solicitations for food to be used in the school nutrition programs.

Per Section 104(d) of the William F. Goodling Child Nutrition Reauthorization Act of 1998 {Public Law 105-336} added a provision, Section 12(n) to the NSLA (42 USC 1760(n)), requiring School Food Authorities (SFA's) to purchase, to the maximum extent practicable, domestic commodity or product. Section 12(n) of the NSLA defines "domestic commodity or product" as an agricultural commodity that is produced in the United States and a food product that is processed in the United States using substantial agricultural commodities that are produced in the United States. Substantial" means that over 51 percent of the final processed product consists of agricultural commodities that were grown domestically. Products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are allowed under this provision as territories of the United States. The Buy American provision (7 CFR Part 210.21(d)) is one of the procurement standards SFA's must comply with when purchasing commercial food products served in the school meals programs.

White Settlement ISD will purchase domestic food products per the Buy American Provision unless:

1. The product needed is not produced or manufactured in the U.S. in sufficient and reasonable available quantities of a satisfactory quality; or
2. Competitive bids reveal the costs of a U.S. product are significantly higher than the non-domestic product

White Settlement ISD will maintain all documentation in regard to any food purchases that are deemed "non-domestic" to include cost comparisons if the product is available as a "domestic" product that is seen as unreasonable in cost; or if not available as a U.S. grown product the documentation will include the "country of origin."

Cost Analysis

White Settlement ISD will conduct a cost analysis to review and evaluate each element of cost to determine reasonableness, allocability, and allowability for products and/or services to be procured. The cost analysis will include the total projected cost for the products and/or services to be procured.

White Settlement ISD will use the following tools and information to create the cost analysis:

1. List of products planned to purchase
2. Prior vs current year potential cost for comparison, or
3. Current year vs proposal pricing comparison
4. Analysis will include a review of single price and extended cost based on estimated quantities
5. Totals will be looked at for budget planning and determination of reasonableness

6. When relying on a purchasing cooperative for bid procurement, White Settlement ISD will ask the cooperative for the cost analysis and review planned products for purchase as a determination for cost reasonableness and compliance with allowable expenditures.

Small and Minority Businesses, Women Business Enterprises, and Labor Surplus Area Firms and/or Disabled Veteran Business Enterprise (MWDVBE)

White Settlement ISD will encourage open competition amongst small, minority, woman, and disabled veteran's businesses by:

1. Reducing barriers in Formal and Informal Contract solicitations by:
 - a. Allowing for businesses that may be MWDVBE to compete on an equal footing. This will be accomplished by having a qualification process where MWDVBE bids are given points equal to the requirements that may be restrictive, such as length of service in business, size of distribution facilities, etc.
 - b. Allowing for extra points in the evaluation if a bidder/proposer qualifies as an MWDVBE
 - c. Structuring contracts to allow "awards to more than one Proposer in the best interest of the District in order to award a portion of the agreement to MWDVBE vendor that may not be able to perform to an agreement that is too large for current financial/logistical capabilities.
2. Structuring Contracts that May allow for Cost Credit to Small, Minority and Women owned businesses:
 - a. White Settlement ISD may structure an RFP Formal Procurement agreement to allow for price variation of not more than 5% of total cost above the lowest responsive bidder to award to a small, minority or women owned business. For example, the lowest bidder was \$100 dollars, a certified small, minority or women owned enterprise bid \$105, the contract may be awarded to the small, minority or women owned enterprise if it is in the best interest of the District.
3. Providing Positive Outreach
 - a. White Settlement ISD will place qualified small, minority and women owned enterprises on solicitation lists; and
 - b. Assure that small, minority and women owned enterprises are solicited whenever they are potential sources

Local Sourced Products: Farm to School Initiative

White Settlement ISD is committed to local markets and family farmers in the State of Texas. Our objective is to support the local agricultural economy and reduce the environmental impact of long-distance shipping. White Settlement ISD defines "Local Sources Products" as products that are grown within the State of Texas, with preference to sources located within 50 miles of the school's main campus.

When purchasing local sourced products, White Settlement ISD will follow the planning phase as stated earlier in this manual and do a cost/price analysis to determine the most appropriate procurement method.

In order to encourage the bidders to purchase locally sourced produce, White Settlement ISD may assign additional point values in the "Award of Contract" section of the solicitation that can demonstrate:

1. The bidder is purchasing produce locally by submitting a list of local farmers, their addresses, the produce that is anticipated to purchase from each farm location, and the anticipated harvest dates of the produce
2. The bidder must also agree to the ability to submit a report during the term of the contract that demonstrates continued purchases from local farms

Use of Excess and Surplus Property

White Settlement ISD, to the best of the district’s ability, may utilize excess and surplus property when available. The TDA allows a district to use a significant portion of our entitlement (PAL) allocation from USDA to purchase DOD fresh fruit and vegetable products. The TDA manages the solicitation and award of the DOD Produce Vendors. Contracting Entities (CE’s) in the state of Texas and participating in the DOD Fresh Program can receive weekly deliveries as outlined in the awarded contract.

Cooperative Membership and Procurement

The USDA allows for “Purchasing Goods and Services Using Cooperative Agreements, Agents, and Third-Party Services.

White Settlement ISD may participate in a purchasing cooperative when it is determined to be in the best interest of the district. As a governmental agency, White Settlement ISD has the option to legally join a “governmental agency or Education Service Center (ESC) agency” purchasing cooperative through an Interlocal or Inter-Agency Agreement.

If determined in the best interest to join an ESC Agency cooperative, White Settlement ISD will request a copy of the Interlocal or Inter-Agency Agreement and complete and submit to the appropriate contact of the co-op. White Settlement ISD will do the following once membership in the cooperative has been confirmed:

1. Provide product estimated quantities planned for purchase for each bid selected.
2. Review that all procurement documents and cooperative processes have been conducted in accordance with applicable Federal, State, and local regulations.
3. Will confirm that their addition to any contract selected does not create a material change as outlined in the contract per 2 CFE 200.318[e] that states a material change occurs when the change in scope of the contract is significant enough that potential bidders might have bid differently had they been award of the impacts from adding additional agencies.
 - a. Will review each solicitation document regarding material change threshold to confirm that the additional purchases will not exceed the contract value threshold.
 - b. Will confirm how the cooperative tracks additional items if any and contract values.
4. Will confirm any USDA foods rebates, credits, or discounts are received.
 - a. Will ensure that all USDA foods discounts are shown in the bid catalogs.
 - b. Will review each invoice received against bid documentation for USDA foods discounts for correctness.
 - c. Will ensure that the documented discount is the amount received from the awarded vendor.
 - d. Will verify appropriate amounts of donated foods drawdown have occurred through use of the tracking systems for commodity usage.
5. Cooperative Fees or Charges and/or Rebates.
 - a. Any fees or charges from the cooperative for membership will be reviewed and reconciled

- based on the terms and payments per the cooperative agreement.
- b. "Blank ISD" reconciles all fund accounts in the month of "Blank Month." Cooperative fees will be reviewed at that time.
- c. Rebates from the cooperative fees paid directly or any type of vendor participation fees paid indirectly that the cooperative collects will be tracked or confirmed received per the cooperative agreement regarding such rebates.
- d. District will ensure the cooperative has provided a timeline for rebates and adheres to that timeline for payments owed if any.
 - i. District will ensure that the cooperative agreement outlines the process used to cover cooperative costs and overhead along with the reporting and rebate schedule.
- 6. The documents will be reviewed and retained for compliance with records retention requirement to include but not limited to:
 - a. Solicitation
 - b. Verification of Published Advertisement
 - c. Contract Terms and Conditions
 - d. Evaluation Criteria, if any
 - e. Responses
 - f. Notification of Awarded vendor(s)
 - g. Documentation of any extensions or Amendments
 - h. Recall Procedures

Unnecessary or Duplication of Goods/Services

White Settlement ISD will avoid acquisition of unnecessary or duplicative items/services. Purchases will be justified using the following criteria:

1. Purchaser will determine if there are like items in the District that may not be in use and consider transferring item before determining if purchase is necessary.
2. The item is being considered for menus or is needed to serve, prepare, receive, transport, or store an item on the menu.
3. The item is replacing an obsolete, broken, damaged or outdated piece of equipment.

Recalls

White Settlement ISD will use the following procedures in regard to products that have been recalled, or are discovered to be defective or faulty:

1. The Child Nutrition Director will register for email notifications of recalled products through USDA Food Safety and Inspection Service (usfsis@public.govdelivery.com) and/or recalls.gov or any other viable resource in regard to food and product safety and recalls.
2. Vendors' Recall procedures will be requested with every Small Purchase, IFB and RFP procurement method used.
3. Any notices or alerts from awarded vendors or distributors in regard to a recalled product will be handled immediately, following all instructions from the vendor or distributor in regard to the handling of the recalled product.
4. Actions may include but not be limited to:
 - a. Disposal of all affected product.
 - b. Photos of products affected, documentation of case lot numbers, distributor codes or any other pertinent information as documentation of product origin.

- c. Removal of affected product to a safe area to be picked up by the vendor or distributor.
- d. Credits issued for all affected product that could not be used.

Appendix of Certifications

The following certifications will be used in all formal procurement methods.

Intangible Property	2 CFR 200.315
Procurement of Recovered Materials/Solid Waste Disposal	2 CFR 200.323(b)
Profit as a Separate Element of Price	2 CFR 200.324
Record Retention Requirements	2 CFR 200.334
Rights to Inventions	37 CFR §401.2 (c)
Anti-trust Certification	Section 2155.005
Certification of Residency	Chapter 2252, Subchapter A
Companies Engaged in Business with Iran, Sudan, or a Foreign Terrorist Organization	Chapter 2252, Subchapter F
Compliance with the Energy Policy and Conservation Act	Pub. L. 94-163, 89 Stat. 871
Compliance with Texas Family Code	Section 231.006
Food/Product Recall and HACCP Procedures	7 CFR 250.15(c)
Form 1295	Section 2252.908
Health & Safety Certificates, Licensing and Regulation	ARM Section 17
No Israel Boycott	Section 808.001
Prohibited Employment Assistance	20 USC 7926
Non-Collusion Declaration	Section 15.01
Non-Collusion Affidavit	Section 15.01
Signature and Declaration of Compliance	Notary Public Required
Proposal Form	200.326 Appendix I To Part 200
Breach of Contract Terms, Sanctions and Penalties	200.326 Appendix II to Part 200 (A)
Termination for Cause or Convenience	200.326 Appendix II to Part 200 (B)
Certificate of Insurance	2 CFR 200.447
Cooperative Agreements	ARM Section 17c
Byrd Anti-Lobbying	2 CFR 200.450; 200.326 Appendix II Part 200 Sec. "I"
Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion for Covered Contracts	200.326 Appendix II To Part 200 Sec H
Davis-Bacon Act (construction bids only)	200.326 Appendix II Part 200 Sec. "D"
Copeland "Anti-Kickback" Act (construction bids only)	200.326 Appendix II Part 200 Sec. "D"
Clean Air and Water Certificate	200.326 Appendix II Part 200 Sec. "G"
Equal Opportunity Employment	200.326 Appendix II Part 200 Sec. "C"
Contracting with Small, Minority, Women Business Enterprises, and Labor Surplus Area Firms	2 CFR 200.321
Conflict of Interest Questionnaire	24 CFR § 3282.359
Disclosure of Lobbying Activities	Appendix B To Part 418 2 CFR
Felony Conviction Notification	21 CFR 1301.90
Nutrition Services Certification For "Buy American" Provision	7 CFR 210.21 Sec. D
Nutrition Services "Buy American Waiver Exception List	7 CFR 210.21 Sec. D
Certificate Regarding Worker's Compensation	48 CFR 970.2803-1

Certificate Regarding Drug-Free Workplace	38 CFR § 48.635
Certificate Regarding Alcoholic Beverage And Tobacco-Free Campus Policy	21 CFR § 1140.1
E-Verify	48 CFR 52.222-54
Iran Contracting	48 CFR 25.703-3
Civil Rights/Discrimination	2 CFR 3187
Solid Waste Disposal Act	Section 600 as amended by the Resource Conservation and Recovery Act
W9	Most Current Version Required