

Crowley ISD Child Nutrition Written Procurement Procedures FY 2025-2026

These written procedures have been created to establish and maintain effective oversight over the Crowley ISD Food Services Department's financial management system that provides reasonable assurance that the Crowley ISD Food Services Department is managing the program in compliance with all federal, state, and local regulations and terms and conditions of the program award and;

To establish and maintain effective oversight over those definitive actions related to the procurement process, establish standards of ethical conduct and integrity for procurement actions, and provide full and open competition in all procurement actions.

**CISD Food Services Building
2205 N. Crowley-Cleburne Rd.
Crowley, Texas 76036**

Overview of Procurement

This Procurement Procedures Manual has been created to ensure that all purchases made with the Child Nutrition (CN) Federal Funds comply as regulated by all Federal, State, and Local policy.

Crowley ISD uses the following resources for all procurement methods:

1. United States Department of Agriculture's (USDA) Super Circular 2 CFR part 200
2. Texas Department of Agriculture's (TDA) "Administrator's Reference Manual," Sections 16 and 17 (including 17a, 17b, 17c) and any other CFR and ARM sections as necessary and applicable
3. Texas Education Code 44.031

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

Crowley ISD allows the Child Nutrition Department to participate in the following:

1. Agreements
 - a. Inter-governmental agreements (operator-only/ESC) - this type of agreement does not require the district to procure for the services offered by the cooperative.
 - b. Third Party Cooperatives- group purchasing organizations, group buying organizations, and third-party vendors. Please note that the District must advertise for a bid should there be one purchase that will be \$100,001 or greater in order for the district to be in compliance with TDA procurement guidelines.
 - c. Agents - A Person or business that is procured to act on behalf of the

CNP operator to procure products/services or perform other child nutrition services as required by district.

2. Informal Procurement
 - a. Micro-Purchase: any purchase that does not exceed the State threshold of \$10,000.
 - b. Simplified Acquisition/Small Purchase Acquisition: any purchase that exceeds \$10,001 but is not greater than the State threshold of \$100,000.
3. Formal Procurement
 - a. Invitation for Bid (IFB)
 - b. Request for Competitive Proposals (RFP)
 - c. Competitive Sealed Proposal (CSP)
 - d. Inadequate Competition
4. Noncompetitive Purchases
 - a. Public Emergency or Unexpected Emergency. TDA “pre-award approval” required
 - b. Sole Source. TDA “pre-award approval” required

Note: For capital expenditures (Costs exceeding \$10,000 for a single item that are incurred to acquire (1) capital assets or equipment or (2) to make improvements, additions, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life.), TDA “pre-award approval” required.

PROCUREMENT AND CONTRACT MANAGEMENT PHASES

A. PROCUREMENT PHASES

Crowley ISD will use the following five 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? Multiple resources will be used to determine an “estimate” of the value or cost. The cost 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, enrollment growth, or reconfiguration of site attendance zones will be considered in regard to future needs and possible renewal or extensions of contracts if necessary.
- 3. **Cost Analysis.** Prior to issuing a solicitation, a cost analysis will be performed using the same tools utilized for forecasting as well as other tools to help identify the estimated cost of the products or services to be purchased. This analysis will be done to determine the most appropriate procurement method for the purchase.
- 4. **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 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:
 - 1. Deadline (date and time) the quotes or responses are to be received.

2. The method the quotes or responses are to be submitted and to whom.
 3. Evaluation criteria, if any is used, clearly outlined to include scoring rubric.
 4. Date and time by which the solicitation will be awarded.
 5. Term of the contract and if any renewals or extensions will be allowed.
 6. 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.
5. **Awarding.** Based on the procurement method, the following general processes will be used:
- a. A winner will be selected using the following methods.
 1. Equitable distribution for all Micro-Purchases.
 2. Lowest responsible and responsive offeror for Small Purchases and IFB's and CSP's.
 3. A single, multiple, and/or secondary winner through evaluation criteria for Small Purchases and RFP's.
 4. Pre-award approvals must be obtained from TDA for any solicitation that is deemed noncompetitive.
 5. 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.

B. CONTRACT MANAGEMENT

Crowley ISD will use the following steps on contract management:

1. **Contract Management.** The items listed below will be monitored during the life of an awarded contract.
 - a. The following employees will participate in contract management:
 1. Executive Director and Operations and Child Nutrition Program Administrator

- a. Ensure that the use of Child Nutrition federal funds is compliant with all Federal, State, and Local regulations.
 - b. Ensure that all specifications, technical requirements, and terms and conditions of all contracts are executed correctly.
 - c. Ensure that substitutions of products are being handled as outlined in the Terms and Conditions and are adequate to the specified product.
 - d. Ensure that vendor response time to product or service issues is appropriate in regard to each situation, if any.
 - e. Ensure that if the contract has a contingency approval by TDA that the documentation is submitted and approved before the costs are incurred.
 - f. Ensure that the cooperative providing services is operating as described in the cooperative agreement.
 - g. Establish a routine schedule to review documentation provided by vendors to ensure applicable credits, discounts, and rebates and USDA Foods values are given to the district.
 - h. Perform close out procedures after the end of each contract, ensuring that the district has received all products and/or services as described in the solicitation.
2. Child Nutrition Supervisor
- a. Ensure quantities specified are made available and delivered.
 - b. Ensure delivery times and schedules are being met per contract terms.
 - c. Product deliveries and/or services are occurring at the correct location if multiple locations are part of the awarded contract.
 - d. Ensure that items ordered and appearing on the invoice but not included in the delivery are noted on the invoice with the driver's signature.
 - e. Ensure that the vendor "hot shots" the missing

products or issues the credit within a 24-hour period from the time of original delivery.

- f. Ensure that products and/or services are meeting the specifications as described in the solicitation.
- g. Ensure that the contractor meets food safety and sanitation requirements.

3. Cafeteria Managers

- a. Ensure that damaged or spoiled products are identified at time of delivery and immediately rejected.
- b. Ensure that the invoice is noted and signed by the driver.
- c. Notify the Child Nutrition Supervisor and the Financial Specialist for proper follow-up to ensure a credit is issued.

4. Child Nutrition Dietitian

- a. Ensure that the district can demonstrate that food products meet the meal pattern or competitive food standards.
- b. Review invoices and food product labels to ensure that the food items are sources as required by the Buy American provisions.

5. Child Nutrition Specialist

- a. Checks pricing received on invoices against the awarded bid pricing to ensure accuracy and correctness.
 - 1. If incorrect pricing is charged, contacts the vendor to rectify the pricing and provide a credit.
 - 2. If incorrect pricing is charged on a coop-procured bid, notifies the vendor and the coop program coordinator.
 - 3. Follows up to ensure a credit is given to the district.
- b. Review invoices prior to payment, including verifying information to determine if costs are allowable.

- c. Routinely monitors invoices to ensure they indicate how and when all discounts, rebates, credits, etc. are given to the district.
 - d. Review final invoice to ensure that all credits, discounts, and rebates and USDA Foods values have been provided to the district.
 - e. Ensure that all products and/or services invoiced correlate to the actual product and/or services received.
 - f. Ensure that the district is not invoiced for or pays for duplicate services.
6. Director of Purchasing
- a. Ensure that if the contract has bonds, that they are in effect for the required period of time.
 - b. Ensure that the length of the contract is applied correctly.
 - c. Verify that the Executive Director Operations approves the renewal based on contractor's performance compliance.
 - d. Monitor renewal options.
 - e. Ensure that an adjustment or escalation clause is applied as described in the solicitation.

2. Contract Disputes. Contract disputes will be handled as stated below.

- a. The following employee positions will participate in the contract dispute:
 - 1. Child Nutrition Program Administrator
 - a. Raise the issue with the contractor, communicating specifically how the problem is to be corrected.
 - b. If the problem is not corrected, provide all the documentation to the Purchasing Buyer for a formal notification.
 - 2. Procurement Specialist
 - a. Provide the contractor written notification of the problem, the expected immediate correction, and the

consequences if the problem is not corrected. Consequences could result in the cancellation of the contract. Notification will have a date stamp of the day sent and the date received.

3. **Capital Expenditures.** The Texas Department of Agriculture (TDA) requires Crowley ISD 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 \$10,000.
 - a. Crowley ISD will submit a request for approval prior to purchasing the item via a JOT form to TDA including:
 1. District Name, CE ID, and contact information (phone and email address)
 2. Description of the equipment, including the purpose and how it supports the operation or maintenance of the District
 3. Provide an estimated cost and whether we have sought bid pricing
 4. 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
 5. Acknowledge that any equipment purchased will be used exclusively (100%) by the District

PROCUREMENT METHODS

Current Purchasing Thresholds:

1. **Micro-Purchase: < 10,000 (unless CE has Self-Certified to \$50,000)**
2. **Small Purchase: 10,001 < 100,000**
3. **Formal Purchase: 100,001 or greater**

Crowley ISD is not a self-certifying entity. The micro-purchase threshold is <\$10,000.

A. INFORMAL PROCUREMENT METHODS (2 CFR 200.320, ARM Section 17)

Per Section 17 of the TDA ARM Crowley ISD will use a good general practice during the forecasting and budget process to consolidate all products and services that fall under the same category and determine the annual cost. If the estimated total annual cost for any such product or service exceeds the micro-purchase threshold, the district will determine if the Small Purchase or Formal method might be more cost effective than multiple micro-purchases and document justification for the method chosen.

1. MICRO-PURCHASES

The micro-purchase method is an “Informal Procurement Method” for purchases where the aggregate amount is the total cost of the same category of products and/or services purchased over Crowley ISD’s fiscal year (July 1st of the current year through June 30th of the following year). As such, the cost of the same category of products and/or services purchased using this method is cumulative across the fiscal year and cannot exceed the \$10,000 threshold. This enables the District to purchase supplies or services without soliciting competitive quotes if the school considers the price reasonable.

Crowley ISD will distribute equally all Micro-Purchases among all eligible vendors and will not apply a local or State regulation that limits the distribution of purchases to one vendor.

Crowley ISD will apply the following regulations and processes to all Micro-Purchases.

- a. All **unplanned, non-routine, or routine** purchases with a category annual aggregate total that does not exceed the threshold of \$10,000 are allowed (2 CFR 200.67) and will include:

1. Documentation that explains the reason for the purchase and vendor name.
 2. List of items or service purchased.
 3. Receipt.
 4. All documentation will be kept on a file attached to the perspective purchase orders
- b. Types of Micro-Purchases allowed but not limited to:
1. Emergency and/or equipment repair parts (Crowley ISD will review previous year costs and future costs to determine if this type of purchase qualified for Micro-Purchase)
 2. Small to medium catering events
 3. Emergency food shortages
 4. Staff training and travel expenses
 5. Small kitchen equipment purchases
 6. Office supplies, printing, awards, apparel, furniture, which total annual aggregate does not exceed the Micro-Purchase threshold
- c. The following employee positions have permission to make a Micro-Purchase:
1. Child Nutrition Director and Child Nutrition staff members, with an approved PO from the Purchasing department
- d. Eligible vendors.
1. Equitable distribution of purchases will be made to all district-approved and qualified suppliers
 2. Crowley ISD will ensure that any vendor interested in winning a bid to provide products and/or services, will be given the opportunity and full details on how to become an approved or qualified supplier.
- e. Interested vendors.
1. Crowley ISD will ensure that any vendor with an interest in becoming district approved and qualified supplier is provided

with all the necessary information and assistance to this effect

- f. Cost Reasonable for Micro-Purchases.
 - 1. The cost must not exceed an amount incurred by a prudent person under similar circumstances
 - 2. Crowley ISD will do a cost comparison to ensure the price is reasonable. (this is completed by retrieving multiple quotes for the same and or similar products and or services when utilizing 240 funds)
- g. Payment for Micro-Purchases.
 - 1. Purchase Order
 - 2. Personnel cash, credit card, or debit card to be reimbursed by the Business Office, for travel expenses only
 - 3. Petty cash for small to medium catering events

2. SMALL PURCHASES

The small purchase method is an “Informal Procurement Method” where the cost of the same category of products and/or services purchased over the Crowley ISD’s fiscal year (July 1st of the current year through June 30th of the following year) does not exceed the Small Purchase Acquisition threshold of \$100,000. The District shall contact a minimum of 3 potential suppliers and attempt to get a minimum of 3 quotes.

- a. Acquisition Threshold
Based on the determination through a cost analysis that a purchase will exceed the Micro- Purchase threshold (2 CFR 200.67) but will not exceed the Small Purchase Acquisition threshold of \$100,000.
- b. Allowable types of Small Purchases:
 - 1. Single/one-time purchase with a category annual aggregate amount between
\$10,001<\$100,000
 - 2. Multiple purchases of same or similar products and/or services from a prime vendor during the fiscal year with a

category annual aggregate amount between
\$10,001<\$100,000

- c. Crowley ISD will use the following steps to make a Small Purchase (2 CFR 200.320 [a] [2])
 1. Conduct a cost analysis to include all products and services to be purchased along with estimated quantities. Current pricing will be used to determine contract value and cost reasonable.
 2. Identify potential suppliers; who to contact for bids; what is available on the market.
 3. Write the product and/or service specification to include details but not restrictive as to exclude competition.
 4. 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.
 5. 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.
 6. Document vendor responses to include:
 - a. Vendor name and contact with email address and phone
 - b. Contact method
 - c. Price quoted to include the date received
 - d. Duration of the price quote
 - e. If less than 3 quotes are received, explanation of why this occurred will be included in the documentation
 7. 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.
 8. All documentation will be attached to each respective Purchase Order Request (PO)

- d. The following employee positions have permission to make a Small Purchase:
 - 1. Child Nutrition Director and Child Nutrition staff members, with an approved PO from the Purchasing department.
- e. Eligible vendors.
 - 1. Only district-approved and qualified suppliers.
 - 2. Crowley ISD will ensure that any vendor with interest in becoming approved and qualified is provided with all the necessary information and assistance to this effect.
- f. Payment for Small Purchases.
 - 1. PO to be approved prior to purchasing the item or service. This is handled through the Purchasing department.

3. CATEGORIES FOR MICRO-PURCHASES AND SMALL PURCHASES

Crowley ISD has determined several categories for all Micro-Purchases and Small Purchase Acquisitions. The categories have been set up based on historical purchases, current needs, and future needs based on age of equipment and parts, and therefore, represent the different areas that require equipment, equipment parts, or service when needed and are separate in type of products and services.

When a category is used for Micro-Purchases, the total annual aggregate amount shall not exceed the \$10,000 threshold.

When a category is used for Small Purchase Acquisitions, the total annual aggregate amount shall not exceed the \$100,000 threshold.

Crowley ISD Child Nutrition Specialist and the Purchasing Specialist will track and manage all Micro-Purchases and Small Purchase Acquisitions to ensure that annual aggregate amounts do not exceed the appropriate purchasing thresholds.

Crowley ISD Director of Purchasing applies a commodity/project code to

identify each category in the ERP system to assist with proper tracking and expenditure amounts.

The list of Crowley ISD Commodity Codes can be found on Appendix A.

B. FORMAL PROCUREMENT METHODS (2 CFR 200.320, ARM Section 17)

The formal procurement methods require a District to post a public advertisement in a newspaper of general circulation for two consecutive weeks upon release of the solicitation. In addition to the newspaper posting, Crowley ISD posts the advertisement on its website and within the Electronic Bidding System Ionwave, as well as emails or makes phone calls as a means of advertising to potential bidders. Crowley ISD adheres to the guidelines established in the ARM Section 17 for public advertising.

1. INVITATION TO SEALED BIDS (IFB)

The Invitation for Sealed Bids method is a “Formal Procurement Method” that is used when the contract value is at or above the Small Purchase threshold, which is \$100,000 in the state of Texas.

This method is used for a fixed-price contract. The IFB is awarded in writing to the most responsible and responsive offeror whose price is most advantageous to the District.

- a. Crowley ISD will ensure the following conditions when preparing an IFB:
 1. A complete, adequate, and realistic specification or purchase description will be made available
 2. 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
 3. 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. Crowley ISD will adhere to the following requirements:
 - 1. Conduct a cost analysis to include all products and/or services to be purchased along with estimated quantities. Current pricing will be used to determine contract value and cost reasonable.
 - 2. The solicitation will be publicly advertised
 - 3. 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
 - 4. Provide product and/or service specifications that allow multiple responses
 - 5. 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.
 - 6. Any or all bids may be rejected if there is a sound documented reason

- c. The following employees will participate in the IFB Procurement Method:
 - 1. Executive Director of Operations and Child Nutrition Program Administrator
 - a. Performs cost analysis to determine procurement method
 - b. Assists with writing product or service specifications
 - c. Assists with evaluating the submitted bid responses using the criteria and scoring rubric established in the solicitation
 - d. Presents the IFB award recommendation to the Board of Trustees

 - 2. Purchasing Specialist
 - a. Send a list of potential suppliers to the Director of Purchasing so that an invite can be sent out properly

- b. Receives and opens the submitted bid quotes
 - c. Enter's requisitions for review/approval while including all necessary documentation.
 - 3. Director of Purchasing
 - a. Issues the award recommendation
 - b. Sends award notification to supplier, after board approval
 - c. Process all Purchase Orders (PO's) to the respective vendors
 - d. Keep necessary Food Service documentation on file
 - e. Keep up with list of approved bids and approved vendors
 - d. Eligible vendors.
 - 1. All suppliers that have been identified as potential bidders
 - 2. Crowley ISD will ensure that any vendor with an interest in participating in the formal solicitation process is provided with the details of the solicitation
 - 3. Crowley ISD will ensure to invite all qualified vendors to participate in the solicitation process
 - e. Payment for IFB Purchases.
 - 1. PO to be approved prior to purchasing the item or service. This is handled through the Purchasing department.
 - f. Material Change
 - 1. The Child Nutrition Program Administrator will review quarterly sales reports to ensure that total amount spent does not exceed the contract value as forecasted.
 - 2. The Child Nutrition Program Administrator will ensure a year-end expenditure assessment prior to any renewal release bid to confirm that a material change has not occurred or will occur because of additional items added to the renewal bid
 - 3. If a material change is discovered, district will release a new solicitation

2. REQUEST FOR COMPETITIVE PROPOSALS (RFP) or Competitive Sealed Proposal (CSP)

A Request for Proposal or Competitive Sealed 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 and CSP’s also allows for negotiation to obtain the best value or price and award the most responsible and responsive vendor possible.

- a. Crowley ISD will ensure the following conditions when preparing an RFP:
 1. A complete, adequate, and realistic specification or purchase description will be made available
 2. The procurement lends itself to a firm fixed price contract or cost reimbursable price
 3. The selection of the successful bidder will be made after an evaluation of criteria with price being the “heaviest weighted factor”
 4. Negotiation of price or best value will be handled with complete fairness and integrity
- b. Crowley ISD will adhere to the following requirements when Soliciting and Evaluating an RFP:
 1. Conduct a cost analysis to include all products and/or services to be purchased along with estimated quantities. Current pricing will be used to determine contract value and cost reasonable
 2. The solicitation will be publicly advertised

3. Solicitation document will include a cover sheet with the RFP description, contact information, issue date, closing date, and opening date
4. Written instructions and bidder information sheet to be completed by the proposer
5. Clear product and/or service specifications
6. Clear description of district demographics and product usage (as relevant)
7. Clearly stated evaluation criteria to include scoring rubric
8. Standard and/or Special Terms and Conditions of the contract
9. Discounts, Rebates, and/or credits provisions where applicable
10. Questionnaires as appropriate
11. Reference Sheet
12. Certifications per ARM Section 17 and Appendix II to Part 200 of 2 CFR 200, as they apply to each procurement:
 - a. Equal Employment Opportunity
 - b. Davis-Bacon Act and Copeland Anti-Kickback Act (construction bids only)
 - c. Contact Work Hours and Safety Standards
 - d. Rights to Inventions Made Under a Contract or Agreement
 - e. Clean Air Act and Federal Water Pollution Control Act
 - f. Mandatory standards in compliance with the Energy Policy and Conservation Act
 - g. Debarment and Suspension
 - h. Byrd Anti-Lobbying Amendment
 - i. Domestic Preferences for Procurements
 - j. Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment
 - k. Civil Rights Discrimination
13. Other Certifications and Affidavits to be included in the RFP, as they apply to each procurement:
 - a. Texas Family Code
 - b. Records Retention Requirements
 - c. Certification of Compliance with EPA Regulations and Solid Waste Disposal Act

- d. Certification of Compliance with Buy American Provisions
 - e. Non-Collusion Affidavit
 - f. Certification of HUB (Historically Underutilized Business)
 - g. Terrorist Organizations, Boycotting of Israel, and Abortion Providers
 - h. Food/Product Recall and HACCP Procedures
 - i. Health and Safety Certificates, Licensing, and Regulation
- c. Awarding of the contract:
 - 1. Evaluation will consist of product quality, services, or responsive and responsible bid submission, 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 200.324)
 - 3. Any or all bids may be rejected if there is a sound documented reason
- d. The following employee positions will participate in the RFP Procurement Method:
 - 1. Executive Director of Operations and Child Nutrition Program Administrator
 - a. Performs cost analysis to determine procurement method
 - b. Assists with writing product or service specifications
 - c. Assists with evaluating the submitted bid responses using the criteria and scoring rubric established in the solicitation
 - d. Presents the IFB award recommendation to the Board of Trustees
 - 2. Purchasing Specialist
 - a. Send a list of potential suppliers to the Director of Purchasing so that an invite can be sent out properly
 - b. Receives and opens the submitted bid quotes
 - c. Enter's requisitions for review/approval while including all necessary documentation.

3. Director of Purchasing
 - a. Issues the award recommendation
 - b. Sends award notification to supplier, after board approval
 - c. Process all Purchase Orders (PO's) to the respective vendors
 - d. Keep necessary Food Service documentation on file
 - e. Keep up with list of approved bids and approved vendors
- e. Eligible vendors.
 1. All suppliers that have been identified as potential bidders
 2. Crowley ISD will ensure that any vendor with an interest in participating in the formal solicitation process is provided with the details of the solicitation
 3. Crowley ISD will ensure to invite qualified vendors to participate in the solicitation process
- f. Payment for RFP Purchases.
 1. PO to be approved prior to purchasing the item or service. This is handled through the Purchasing department.
- g. Material Change
 1. The Child Nutrition Director will review quarterly sales reports to ensure that total amount spent does not exceed the contract value as forecasted
 2. The Child Nutrition Director will ensure a year-end expenditure assessment prior to any bid renewal release to confirm that a material change has not occurred or will occur because of additional items added to the renewal bid
 3. If a material change is discovered, district will release a new solicitation

3. INADEQUATE COMPETITION

Inadequate competition occurs when the District actively and

appropriately attempts to solicit offers from a number of sources, but competition is deemed inadequate.

- a. Crowley ISD will follow the procedures below when inadequate competition:
 1. Research the reasons for a single response
 2. Determine, to the best ability possible, if the bid was too restrictive or released in a way that prevented open and fair competition
3. If determined that the solicitation was not properly completed:
 - a. Provide notification of its intention to rebid the contract
 - b. Review the solicitation and modify it as necessary
 - c. Reissue the solicitation
 4. If determined that the solicitation was properly completed:
 - a. Award the contract
 - b. Retain documentation to demonstrate that a) appropriate actions to foster adequate competition were taken, and b) the District reviewed its solicitation procedure to ensure that competition was not limited

c. NONCOMPETITIVE PROCUREMENT METHOD

Noncompetitive method is restricted to specific situations and may only be used when:

1. Public emergency or unexpected emergency exists
2. Goods or services are only available from a Sole Source distributor, supplier, or manufacturer

1. NONCOMPETITIVE PROCUREMENT – PUBLIC EMERGENCY OR UNEXPECTED EMERGENCY SITUATION

- a. Crowley ISD will obtain TDA's approval prior to award and purchase of products or services. Request will be submitted using the Noncompetitive Procurement Request Form. All requests for

approval will be submitted through the State Agency's online system, TX-UNPS.

- b. The following employee positions will oversee the approval process for a Noncompetitive – Public Emergency or Unexpected Emergency Situation:
 - 1. Executive Director of Maintenance or Child Nutrition Director
 - a. Submits and receives approval from TDA
 - 2. Child Nutrition Financial Specialist or Purchasing Specialist
 - a. Attaches TDA approval to PO Request
 - b. Makes sure that all documentation in a file and attached to the respective purchase order in the ERP system

2. NONCOMPETITIVE PROCUREMENT – SOLE SOURCE

- a. Crowley ISD will verify that the product and/or service can only be procured from a single source
- b. Crowley ISD will obtain TDA's approval prior to award and purchase of products or services. Request will be submitted using the Noncompetitive Procurement Request Form. All requests for approval will be submitted through the State Agency's online system, TX-UNPS
- c. Determination of need for sole source procurement:
 - 1. Failed procurement method due to no competition
 - 2. Compelling need, such as compatibility with current equipment, to purchase a specific brand product and/or service. For example, Point of Sale Software, based on proprietary computer coding, or warranty void risk due to proprietary chemicals used on equipment
- d. Crowley ISD will retain records that demonstrate the following:
 - 1. Product and/or service availability from only one source
 - 2. Efforts to determine if other suppliers, distributors, or manufacturers provide the product or service
 - 3. All procurement-related activities.
- e. The following employee positions will oversee the approval process for a Noncompetitive – Sole Source:

1. Director of Purchasing
 - a. Submits and receives approval from TDA
2. Child Nutrition Specialist or Procurement Specialist
 - a. Attaches TDA approval to PO Request

A. BID PROTEST PROCEDURES (Process is also posted on CISD Purchasing Website)

Any interested party may protest any of the following situations:

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

Crowley ISD will do the following for every bid:

- a. Include clear instructions in the solicitation document about questions and protest procedures
- b. Crowley ISD will allow respondents to request clarification of information prior to the close of the bid/proposal. These requests must be received a minimum of 7 business days prior to the close of the bid/proposal.
- c. Notify bidders that protest request must be received within 3 business days after public award notice

Crowley ISD will do the following in response to bid protests:

- a. Crowley ISD will address all respondent protests within 24 hours of receiving the protest
- b. Follow all written procedures to resolve protests
- c. Crowley ISD will provide evaluation scores and pricing at the request of the respondent, following the procedures on the Public Information Act. Violations of law should be referred to the local, state, or Federal authority. (2 CFR, Section 200.318[k])

- d. Notify TDA when a protest is received if applicable
- e. Retain all documentation related to a protest
- f. Crowley ISD will address the request for additional information as an addendum to all respondents
- g. Ensure that all protests are addressed

B. CONTRACT DISPUTES, TERMINATIONS/NON-RENEWALS

Crowley ISD will take action to remedy any circumstances where the contractor does not provide products and/or services that meet the expectations and apply the options to terminate or not renew a contract based as allowed by the terms and conditions of the contract.

Crowley ISD will document efforts related to a possible or actual termination or non-renewal of a contract.

When there is a dispute, Crowley ISD will follow its written procedures and terms and conditions of the contract to resolve the dispute. This will include but is not limited to, the following actions.

- a. Raise the issue with the contractor, communicating specifically how the problem can be resolved to meet the specifications and/or technical requirements for the products and/or services, as described in the solicitation and contract.
- b. Provide the contractor with written notification of the issue and state that immediate correction is expected, and failure to do so will be considered a breach of contract and could result in the termination of the contract.
- c. Provide the written notification by a method that will date stamp the day sent, and the date received.

If a contractor continues to be unable to provide the contracted products and/or services, Crowley ISD will determine if termination of the contract or non-renewal of the contract is warranted. Should the district choose to terminate the contract or not renew a contract, the district will perform this action according to the terms and conditions of the contract.

Crowley ISD will retain all documentation, demonstrating actions taken to resolve the issue and the result of each action.

Crowley ISD may determine that the termination of a contract may prevent the contractor from future bidding as a non-responsible contractor. Crowley ISD maintains the right to reject a terminated contractor's bid, even if lowest cost or best evaluation score, based on documentation of poor performance or previous contract termination.

C. ECONOMIC PRICE ADJUSTMENTS IN VENDOR CONTRACTS

The economic price adjustments, which allow a District to adjust costs in the contract, will 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.

D. 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 the School Lunch Programs.

Crowley 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, frozen, canned, or combined with any other products

USDA regulations give the local entity the authority to define local as long as the definition does not restrict full and open competition. Regulation prevents Eagle Mountain-Saginaw ISD from awarding any contract based solely on “local,” and Crowley ISD will provide clear instructions and information in each solicitation as to our definition of local and evaluation criteria. Crowley ISD will adhere to the policy of using their USDA Federal Funds in the most efficient way possible.

Per TDA, for procurement, the CE may define its local geographic areas as areas located within a specified number of miles or within a geographic boundary (county, state, or multi-state). It may use different geographic areas for different types of products and for different seasons.

Crowley ISD determines local as “within the United States territory and the state of Texas.”

E. DISCOUNTS, REBATES, AND CREDITS

Crowley 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 Crowley 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 Crowley ISD upon request.

F. BUY AMERICAN PROVISION

Crowley 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 Guan, 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.

Crowley 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

Crowley 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."

G. COST ANALYSIS

Crowley 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. In conducting a cost analysis, staff will use the tools that are also used in forecasting as well as any other available tools or strategies that may help identify the estimated cost of the products and/or services to be purchased. The method and depth of the cost analysis is dependent on the complexity of the products and/or services to be purchased. This will be done prior to all solicitations.

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

1. List of products planned for purchase including estimated quantities to be purchased
2. Prior or current year cost
3. Analysis will include a review of single price and extended cost based on estimated quantities
4. Totals will be looked at for budget planning and determination of reasonableness
5. If Crowley ISD is utilizing the services of a purchasing cooperative, Crowley ISD will ensure the following:
 - a. The cooperative is doing a full cost analysis to determine the overall contract value for each bid to be used based on estimated quantities from all participating members
 - b. The cooperative provides Crowley ISD with a complete list of bid specifications that includes current known cost per product, projected and anticipated cost increase, and a field where forecasted/estimated quantities can be entered by Crowley ISD
 - c. The cooperative completes the full cost analysis prior to the release of every solicitation Crowley ISD will follow cooperative

membership roles or ask the cooperative for the cost analysis and review planned products for purchase as a determination for cost reasonableness and compliance with allowable expenditures.

H. SMALL AND MINORITY BUSINESSES, WOMEN BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS AND/OR DISABLED VETERAN BUSINESS ENTERPRISE (MWDVBE)

Crowley 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 ensuring that MWDVBE are solicited whenever they are potential sources
 - b. 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. Providing Positive Outreach
 - a. Assure that small, minority and women owned enterprises are informed of IFBs and RFPs whenever they are potential sources.

I. LOCAL SOURCED PRODUCTS: FARM TO SCHOOL INITIATIVE

Crowley 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. Crowley 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, Crowley ISD will follow the planning phase as stated earlier in this manual and do a cost analysis to determine the

most appropriate procurement method.

To encourage the bidders to purchase locally sourced produce, Crowley 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

J. USE OF EXCESS AND SURPLUS PROPERTY

Crowley 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.

K. RECALLS

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

1. The Executive Director of Maintenance or 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

L. UNNECESSARY OR DUPLICATION OF GOODS/SERVICES

Crowley ISD will avoid acquisition of unnecessary or duplicative items/services. Crowley ISD will adhere to the following:

1. Implement internal controls to ensure that the district does not engage in contracts with duplicative services (paying for the same service twice) from the same contractor or different contractors.
 - a. Appointed staff members will review all Contracts and all products that are planned to be purchased from cooperatives and/or Food Service Management Companies to ensure that all purchases will not create payment for duplicative services.
 - b. Memberships in cooperatives will be reviewed to ensure that all products planned for purchase are not receiving a duplicated indirect fee.
2. Appointed staff 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.
3. Appointed staff will confirm the item(s) being purchased are needed to serve, prepare, receive, transport or be stored for the planned menus.
4. Appointed staff will confirm any equipment items planned for purchase are replacing an obsolete, broken, damaged or outdated piece of equipment.

M. RECORD RETENTION

Awarded Vendor must have complete transparency and must follow the 5-years record retention requirement.

N. COOPERATIVE MEMBERSHIP PROCUREMENT

The USDA allows for “Purchasing Goods and Services Using Cooperative Agreements, Agents, and Third-Party Services (2 CFR 200.318[e]).

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

If determined that it is in the best interest to join an ESC Agency cooperative, Crowley ISD will request a copy of the interlocal or interagency agreement and complete and submit to the appropriate contact of the co-op. Crowley ISD will take the following steps once the 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. Confirm that their addition to any contract selected does not create a material change as outlined in the contract (per ARM Section 17) 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. Crowley ISD will review each solicitation document regarding material change threshold to confirm that the additional purchases will not exceed the contract value threshold.

- b. Crowley ISD will confirm how the cooperative tracks additional items if any and contract values.
- 4. Confirm any USDA foods rebates, credits, or discounts are received.
 - a. District will ensure that all USDA foods discounts are shown in the bid catalogs.
 - b. District will review each invoice received against bid documentation for USDA foods discounts for correctness.
 - c. District will ensure that the documented discount is the amount received from the awarded vendor.
 - d. District 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. 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. i.e. BuyBoard rebate.
- 6. District will ensure that the cooperative provides 24/7 access to all documentation related to the solicitation before it is released, bid responses and contracts for compliance. All documents will be reviewed and downloaded to ensure district can stay compliant 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 to include certifications and pricing
 - f. Evaluation Committee Scores
 - g. Notification of Awarded vendor(s)
 - h. Documentation of any extensions or Amendments
 - i. Recall Procedures

Additional Food Service Procurement and Payment Guidance

Billing

To ensure billing accuracy, all Child Nutrition Service invoices submitted to Crowley ISD must be reviewed by the Executive Director of Maintenance and the Executive Director's Secretary before any action is taken. There is an invoice review process that applies to all orders, regardless of funding source-local, state, or federal-including child nutrition services funds. For example, when the FSMC submits an invoice to the FSMC Controller, the invoice goes through a multi-level review process which includes:

- The Child Nutrition Compliance Specialist and Executive Director of Maintenance Secretary will divide the initial review for invoices: Executive Director of Maintenance Secretary reviews a portion of the meal counts, and the Child Nutrition Compliance Specialist verifies the remaining portion.
- Once our review is complete, Executive Director of Maintenance conducts a final, detailed review of all invoices received by examining each section of the invoice before providing final approval and signature.

Invoices are always accompanied by the required supporting documentation, ensuring full transparency and compliance before payment is processed.

Once the above steps are completed, there must then be:

1. Receiving against the Purchase Order (PO)
2. Attaching the invoice to the corresponding PO in the ERP system

3. Notifying CISD Accounts Payable that the invoice is approved for payment

This process ensures that the goods or services billed have actually been received in accordance with the approved PO, and that the vendor's invoice matches what was delivered.

The District uses purchasing cooperatives, interlocal agreements, and CISD bids for Child Nutrition purchases.

Any revenue, rebates, or similar incentives received from purchases made through these cooperative contracts—when funded by Child Nutrition funds—**must be credited back to the appropriate funding source.**

The Director of Purchasing conducts an annual review of this information for rebates. If any rebates or credits are identified as applicable to Child Nutrition, the Director will collaborate with the Executive Director of Finance to ensure the proper funds are credited. This includes running detailed reports and allocating the amounts to the correct budget codes.

If any credits are received for Purchase Orders processed through the Child Nutrition fund, those credits will be applied back to the original budget code used for the purchase.

The Accounts Payable Department is responsible for ensuring that all such credits are accurately applied to the appropriate Child Nutrition Services account.

Code of Conduct

To ensure compliance with federal regulations and promote ethical and transparent procurement practices, the following internal controls shall govern the conduct and responsibilities of all officers, employees, or agents involved in contract awards and administration using FNS program funds:

1. Separation of Duties

- Procurement activities must follow a clear separation of duties:

- The individual requesting goods/services cannot be the same individual who approves the purchase or administers the contract.
- Financial oversight must be handled by staff not involved in the selection of vendors or contractors.

2. Code of Conduct

- All staff must adhere to the district's written **Code of Conduct**, which prohibits:
 - Soliciting or accepting gifts, favors, or anything of monetary value from contractors or potential contractors.
 - Conflicts of interest or the appearance of impropriety in vendor selection or contract management.
 - Any involvement in procurement decisions where there is a personal, family, or financial interest.

3. Documentation and Recordkeeping

- All procurement and contract decisions must be documented and maintained for audit purposes, including:
 - Bid solicitations, evaluations, scoring sheets, vendor communications, and contract award justifications.
 - A record of all child nutrition-funded purchases and associated rebates or credits.

4. Approval and Oversight

- All contracts using child nutrition funds must be reviewed and approved by:
 - The Director of Purchasing or designee to ensure procurement regulations are followed prior to purchase order being processed.

- The Chief of Finance or The Executive Director of Finance for financial compliance and proper fund allocation.

5. Competitive Procurement

- All purchases using child nutrition funds must follow appropriate procurement methods (e.g., micro-purchase, small purchase, formal bid), in accordance with 2 CFR Part 200 and USDA regulations.
- Contracts must be awarded only to responsible vendors that meet eligibility and performance criteria.

6. Monitoring and Compliance

- The Executive Director of Maintenance or designee will monitor vendor performance and contract compliance.
- Periodic reviews will be conducted to verify goods/services were received as ordered and invoiced correctly.

7. Training

- All staff involved in procurement and contract administration must complete annual training on:
 - Federal procurement standards
 - Ethical conduct and conflict of interest policies
 - Child Nutrition program requirements

Disciplinary actions for violations of the code of conduct include being held personally liable for payment of such agreement and/or being liable to prosecution under the Texas Penal Code Chapter 39 Abuse of Office, Section 39.01 and/or termination.

Conflict of Interest

1. School district employees are limited in the types of employment in which they may be involved outside of normal school activities.
 - a. An employee shall not accept or solicit any gift, favor, service, or other benefit that could be construed to influence the employee's discharge of assigned duties and responsibilities.
 - b. An employee shall not have a personal financial interest, business interest, or any other obligation that in any way creates a substantial conflict with the proper discharge of assigned duties and responsibilities or that creates a conflict with the best interest of the District.
 - c. Each employee shall disclose, to the best of his or her knowledge, in writing to the Superintendent or designee any financial or ownership interest in any business or other purchase arrangement of the District.
 - d. An employee who believes he or she has or may have a conflict of interest shall disclose the interest to the Superintendent or designee, who shall take whatever action is necessary, if any, to ensure that the District's best interests are protected. (Board Policy, DBD Local)

Disciplinary actions for violations of conflict of interest include a written warning, removal or reassignment or termination of employment.

The district has internal oversight of solicitation development for all child nutrition bids. The internal oversight process is for the Director of Purchasing to have responsibility for drafting and reviewing the solicitations with internal district staff only. All CISD bids also have a clause regarding communication within each bid that vendors must review and acknowledge. This process ensures compliance with federal procurement regulations, maintains transparency and protects against unfair competitive advantages.

Some internal controls that are in place to prevent procuring duplicative services is by the district having a centralized contract management and tracking mechanism as well as the workflows for approvals and segregation of duties.

Contract Awards

The Director of Purchasing is responsible for ensuring that all staff involved with Child Nutrition funds are informed of all approved CISD vendors. This includes vendors awarded through CISD bids, interlocal agreements, or affiliated purchasing cooperatives that may be used with Child Nutrition as the funding source.

For formal procurements, the district employs the following strategies to ensure fair and transparent evaluation of bids:

- **Clearly define the scope of work** in the bid advertisement
- Provide **explicit submission instructions** to all bidders
- Include a **detailed evaluation criteria chart** outlining how proposals will be scored, including the possible points assigned to each criterion

The evaluation process is designed to identify the **most responsive and responsible** bidder, with **price being the primary factor** in the award decision.

If the district selects a contractor who is **not the lowest-cost offeror**, it will document the justification for the award decision to ensure transparency and compliance.

Contract Management

The district Director of Purchasing keeps a detailed up to date list of all approved vendors whether on CISD bids, interlocal agreements or affiliated purchasing cooperatives. This list is shared with the entire school district and is updated in real time. The district has an internal Google drive document that is shared with all necessary district staff that is in real time. Anytime this google drive is updated, the Director of Purchasing will also work with the CISD Communications Department to update the information on the Purchasing website.

Contract Solicitation

The district publicly advertises all bid solicitations for a minimum of 14 consecutive calendar days from the start of the solicitation period. Longer advertisement periods may be used when necessary to provide vendors with sufficient time to prepare and submit responses.

This requirement applies to **solicitations funded by federal, state, or local sources.**

Bid advertisements are published in the local newspaper, either in **print or digital format**, and a copy of each advertisement is maintained by the **Director of Purchasing** for audit and compliance purposes.

Crowley ISD also uses the **IonWave electronic bidding system** to distribute bid notifications to vendors registered under the relevant commodity codes.

Additionally, all bid opportunities are posted on the **CISD Purchasing Department website** to ensure broader visibility for interested vendors.

Cooperative Purchasing

In order to take advantage of the economies of scale, the district is affiliated with the below Purchasing Cooperatives.

List of Current Crowley ISD Cooperative Names
Allied States Cooperative
Buyboard Cooperative
Choice Partners Cooperative
Equalis Group Cooperative
Omnia Partners Cooperative (<i>Formally U.S. Communities</i>)
Sourcewell (<i>Formally NJPA</i>)
Tarrant County College District Interlocal Agreement
Tarrant County Cooperative Purchasing Program
Texas DIR (<i>Texas Department of Information Resources</i>)
Texas SmartBuy Cooperative
The City of Allen Interlocal Agreement
TIPS- USA (<i>The Interlocal Purchasing System</i>)
TXMAS- Texas Comptroller

Dispute Resolution, Protest of an Awarded Contract

If a vendor would like to protest an awarded contract and or dispute the resolution of the recommendation of the district, the district has the instructions for vendors to follow posted on the CISD Purchasing website on how to formally submit a protest of award. This information can be located at

<https://www.crowleyisdtx.org/departments/purchasing> under the “Purchasing Resources” section of the CISD Purchasing Website.

Full and Open Competition

The district publicly advertises all RFPs, CSPs, and other formal procurement opportunities in the local newspaper to ensure full and open competition. Crowley ISD also utilizes the **IonWave electronic bidding system** to distribute bid notifications to vendors registered under the appropriate commodity codes. In addition, all advertised bids are posted on the **CISD Purchasing website** for broader vendor access.

Each bid includes key attributes to promote transparency and consistency for all vendors:

- A clearly stated **date and time for the official bid opening**, during which pricing will be read aloud to all attendees.
- A detailed **bid timeline**, outlining key dates and deadlines, ensuring that all vendors have access to the same information when preparing their submissions.

These practices support a fair and competitive bidding environment while meeting all legal and procedural requirements.

Local Preference

Should there be local preference required for a child nutrition fund purchase, the Director of Purchasing will incorporate the criteria that will be reviewed for possible additional points so the district employees can make a decision on the recommendation of award. Those criteria would be items such as geographic location, percentage-based scoring or even a tie breaker rule. Please note that

Local preference may be applied only when permitted by state and federal laws and must not conflict with requirements for open and fair competition, especially in procurements involving federal funds (which generally prohibit local preference unless expressly allowed). The district does include a resident bidders certification clause in all advertised district bids.

Local, State and Federal Laws and Regulations

Within all CISD bids that are advertised specifically to utilize child nutrition funds, there is a clause that vendors must acknowledge advising the interested vendor that in accordance with Title 2 of the Code of Federal Regulations (2 CFR) Part 200, the United States Department of Agriculture (USDA) and Texas Department of Agriculture (TDA) to procure vendors who provide goods and or services purchased by Crowley ISD using federal funds. All qualified vendors are encouraged to participate, including any vendor that has been awarded to a previous proposal with CISD. This proposal may be utilized by local, state, federal, child nutrition and grant funded programs. Also included in those bids will be documentation for the vendors on whether the bid is a public works proposal or not a public works proposal. The clauses below are included in all advertised bids:

- Byrd Anti-lobbying-(31 U.S.C. 1352)
- Civil Rights/Discrimination- (*Title VI of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title 7 CFR Parts 15, 15a, and 15b; the Americans with Disabilities Act; and FNS Instruction 113-1, Civil Rights Compliance and Enforcement – Nutrition Programs and Activities*)
- Clean Air and Water Act and Federal Water Pollution Control Act (*Clean Water Act, 42 U.S.C. 7401-7671q; Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387); and Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15)*)

- Contract Work Hours and Safety Standards (*Act 40 U.S.C. 327-330 Sections 103 and 107 as supplemented by Department of Labor regulations (29 CFR Part 5)*)
- Copland Anti-Kickback Act (*(18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3)*)
- Davis-Bacon Act, Energy Policy and Conservation Act (*40 U.S.C. 276a to 276a-7 as supplemented by Department of Labor regulations (29 CFR Part 5)*)
- Equal Employment Opportunity (*41 CFR, Chapter 60. Executive Order 11246 of September 24, 1965, entitled Equal Employment Opportunity, as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR Chapter 60)*)
- Health and Safety Certifications, Licensing, or regulations, Rights to Inventions (*Local, state, or federal health and safety certifications, licensing, or regulations*)
- Rights to Inventions (*37 CFR 401.2*)
- Solid Waste Disposal Act (*Section 6002 as amended by the Resource Conservation and Recovery Act*)
- Small and Minority Firms and. Women's Business Enterprise, and Labor Surplus Area Firms (HUB Businesses) (*2 CFR 200.321*)

Procurement Methods

The district adheres to the procurement methods as outlined in Arm 17A for child nutrition funds. The district Director of Purchase will clearly identify what items and or services are being sought after within the scope of work in order to promote pre-qualification for all potential vendors. Below is a Purchasing Threshold Chart that identifies what is needed for purchases with state and local

funds, federal grant funds and Food Service Funds. For any one (1) purchase that is \$100,001 or more, requires a pre-cost analysis to be completed by the Executive Director of Maintenance or designee.

Purchase with Food Service Funds (240 and 242) Must Follow TDA Guidelines					
Purchasing Method	Supporting Documentation	Purchasing Mechanism or any additional documentation	RFP/RFQ/Approved District Vendor or Purchasing Cooperative	Board Approval	Required Advertising
Micro-Purchase Threshold: For purchases \$0.01-\$10,000 **Updated as of February 2025 per Arm 17a documentation	Required 3 quotes from approved vendors unless RFP was TDA compliant and awarded to specific vendor or TDA has provided TDA Approval for Noncompetitive Procurement (Sole-Source)	Yes. Provide additional information on requisition	Approved District Vendor	NO	Not Required
Small Purchase Threshold: For purchases \$10,001 to \$100,000 **Updated as of September 2025 per Arm 17a documentation ≤\$100,000 is the TEA threshold adopted by TDA	Required 3 quotes from approved vendors unless RFP was TDA compliant and awarded to specific vendor or TDA has provided TDA Approval for Noncompetitive Procurement (Sole-Source)	Yes. Provide additional information on requisition	Approved District Vendor	NO	Not Required

Formal Procurement Threshold: For purchases \$100,001 or greater **Updated as of September 2025 per Arm 17a documentation .	Sealed bids or competitive proposals that is TDA/USDA compliant. Or TDA has provided TDA Approval for Noncompetitive Procurement (Sole-Source)	Cost or price analysis is required prior to advertisement of bid	Awarded vendor with best value to the district	YES. Note Board approval date on requisition .	Yes Required.
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Third Party Procurement

Crowley ISD addresses the potential for increased monitoring costs associated with third-party procurement through a comprehensive, risk-based approach.

Key strategies include:

- Risk Assessment: The district performs due diligence by checking vendor references and evaluating past performance before engagement.
- Contract Management: A centralized, up-to-date list of all approved vendors—whether awarded through CISD bids, interlocal agreements, or affiliated purchasing cooperatives is maintained for accountability and transparency.
- Technology Integration: The district utilizes IonWave, an electronic bidding system, to streamline and centralize the procurement process, improving efficiency and oversight.

When utilizing interlocal agreements (e.g., EPCNT) or cooperative contracts, the Director of Purchasing is responsible for verifying that each contract includes all required regulatory provisions—such as the Buy American Clause, local preference

(if applicable), and other federal, state, or local requirements—to ensure compliance when using Child Nutrition funds.

Additionally, the Executive Director of Maintenance reviews all invoices prior to payment authorization. This step ensures the vendor is billing only for approved goods and/or services, based on the original purchase order and agreed-upon terms.

Additional Resources

TDA Resources

TDA resources are available on the SquareMeals website, www.SquareMeals.org.
– Approved Purchase List—Form designed to provide a list of products approved to purchase with information that will be helpful to menu planners and staff managing the contract.
– Buy American Checklist for Non-Domestic Food Product Purchases— Checklist to assist CEs in determining if a non-domestic product is acceptable.
– Procurement Snapshot Tool—Form designed to provide a summary of procurement activities for the program year or fiscal year.

Other Websites

Texas Procurement and Support Services (TPASS) (Formerly Texas Building and Procurement Commission), available at www.window.state.tx.us/procurement/ – Comptroller of Public Accounts, available at www.cpa.state.tx.us – Universal Public Purchasing Certification Council/National Institute of Government Purchasing (NIGP), available at www.nigp.org – USDA Farm to School website, available at www.fns.usda.gov/farmentoschool/