

PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS

I. Statement of Policy

The Waterville Central School District (the District) will follow all applicable requirements in the Uniform Grant Guidance and the Code of Federal Regulations (2 C.F.R Part 200) whenever it procures goods or services using federal grant funds awarded through formula and/or discretionary grants, including funds awarded by the United States Department of Education as grants or funds awarded to a pass-through entity, such as the New York State Education Department, for subgrants.

II. Uniform Grant Guidance Requirements

The District shall comply with Uniform Grant Guidance requirements for federal and state funded grants and implement any necessary procedures for doing so. This includes, but is not limited to:

- A. Use its own documented procurement procedures which reflect applicable state, local and tribal laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in the Uniform Grant Guidance. As such, District procurements related to Federal grants will be subject to New York State General Municipal Law, this policy, and Uniform Guidance Regulations and Requirements.
- B. Establish and maintain effective internal controls that provide reasonable assurance that the District is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. Internal controls means a process implemented by the District designed to provide reasonable assurance regarding the achievement of objectives in the following categories:
  - 1. Effectiveness and efficiency of operations;
  - 2. Reliability of reporting for internal and external use; and
  - 3. Compliance with applicable laws and regulations
- C. Comply with federal statutes, regulations, and the terms and conditions of the federal awards.
- D. Evaluate and monitor the District's compliance with statutes, regulations, and the terms and conditions of federal awards.

## POLICY

FISCAL MANAGEMENT

4506

### PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS

- E. Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- F. Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or the District considers sensitive consistent with applicable federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.
- G. Maintain oversight to ensure contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- H. Maintain standards of conduct covering conflicts of interest and governing the actions of District employees engaged in the selection, award, and administration of contracts.
- I. No employee, officer or agent may participate in the selection, award or administration of a contract supported by a Federal Award if he or she has a real or apparent conflict of interest.
- J. Have procurement procedures in place to avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical procurement approach, including analyzing other means described in §200.318 of the Uniform Grant Guidance to ensure appropriate and economical acquisitions.
- K. Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to matters such as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
- L. Maintain records that sufficiently detail the history of the procurement including, but not limited to:
  - 1. Rationale for the method of procurement;
  - 2. Selection of contract type;
  - 3. Contractor selection or rejection; and

POLICY

FISCAL MANAGEMENT

4506

PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS

4. The basis for the contract price.
- M. Use time and material contracts, only after a determination, in writing, that no other contract is suitable.
  - N. Conduct all procurement transactions in a manner providing full and open competition consistent with the standards of the Uniform Grant Guidance, or state and local procurement thresholds, whichever is most restrictive.
  - O. Conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference.
  - P. Have written procedures for procurement to ensure that all solicitations:
    1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured; and
    2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids.
  - Q. Ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition.
  - R. Use one of the five acceptable procurement methodologies detailed in §200.320 which include:
    1. Micro-purchases;
    2. Small purchase procedures;
    3. Sealed bids;
    4. Competitive proposals; and
    5. Noncompetitive proposals.
  - S. Have a written method for conducting technical evaluations of the proposals received and for selecting recipients. The District will make available, upon request of the federal awarding agency or pass-through entity, technical specifications on proposed procurements where the federal awarding agency or pass-through entity believes such review is needed.

POLICY

FISCAL MANAGEMENT

4506

PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS

- T. As appropriate and consistent with the law and regulations, the District should, to the extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). This requirement must be included in all sub-awards, including contracts and purchase orders for work or products under the award.
- U. Take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- V. Include in all contracts made by the District the applicable provisions contained in Appendix II of the Uniform Grant Guidance -- Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.
- W. Perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications.
- X. Negotiate profit as a separate element of the price for each contract in which there is not price competition and in all cases where an analysis is performed.
- Y. Comply with the non-procurement debarment and suspension standards which prohibit awarding contracts to parties listed on the government-wide exclusions in the System for Award Management (SAM).

III. Implementation

All procedures and practices must be done in accordance with these and any other applicable state and federal regulations. The Superintendent or designee shall create specific protocols and procedures to ensure compliance with this Policy and the federal Uniform Grant Guidance requirements, including ensuring the District is up to date with any modification to the federal and state regulations.

---

Waterville Central School District

Legal Ref: 2 CFR Part 200 (et seq.); 2 CFR §§ 184, 200.61, 200.303, 200.318, 200.319, 200.320, 200.321, 200.323, 200.326, and 200.331

Adopted: 08/13/19

Revised: 02/13/24