BOARD BUDGET PROCEDURES AND LINE ITEM TRANSFERS

In accordance with Conn. Gen. Stat. § 10-222, the Board of Education (the "Board") shall prepare an itemized estimate of its budget each year for submission to the fiscal authority (*i.e.,* Board of Finance, Board of Selectmen, Town Council, or other appropriating municipal authority) (the "Fiscal Authority") for review and appropriation. For purposes of this policy, an itemized estimate means an estimate in which the following broad budgetary categories listed below are divided into one or more budgetary category line items.

- Salaries
- Employee Benefits
- Purchased Services
- Tuition, Public In-State
- Tuition, All Other
- Supplies
- Property
- Utilities
- Grounds Maintenance
- Other

The itemized estimate provided to the Fiscal Authority is referred to herein as the "Itemized Estimate."

The Board shall review the recommendations and suggestions made by the Fiscal Authority as to how it may consolidate non-educational services and realize financial efficiencies. If the Board rejects such suggestions and recommendations, it shall provide the Fiscal Authority a written explanation of the reason for the rejection.

Following the annual appropriation, the Board shall meet and revise the Itemized Estimate, if necessary, and adopt a final appropriated budget for the year. Line items in the budget may be allocated more specifically by the Superintendent or the Superintendent's designee in the development, administration and monitoring of the budget.

The Superintendent and/or the Superintendent's designee shall be responsible for administering and monitoring the budget through the course of the year. The Superintendent or designee shall maintain a system of appropriate expenditures and encumbrance accounting that is organized to conform with the requirements for State and Federal Accounting Reports. A quarterly budget report shall be prepared in the same format as the Itemized Estimate showing for each budgetary category line item the appropriated budget amount, expenditure to date (to include encumbered and expended amounts), projected expenditures, difference between the projected expenditures and the appropriation, and general comments indicating the reasons for the difference.

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Such budget report shall be presented to the Board at the regularly scheduled meeting in the month following the period for which such report is prepared, in accordance with the following schedule:

Period Covered	**Submitted**
July, August, September	October
October, November, December	January
January, February	March
March, April	May

Based on expenditures and budget projections, with such budget reports, the Superintendent shall recommend to the Board transfers from one of the broad budgetary categories in the Itemized Estimate (as set forth above) to another as needed.

The Superintendent is authorized to make such transfers as necessary if the urgent need for transfer prevents the Board from meeting in a timely fashion to consider the transfer, provided that such transfers by the Superintendent shall not exceed five percent (5%) of the annual budget. Transfers between the broad budgetary categories in the Itemized Estimate made in such instances shall be announced at the next regularly scheduled meeting of the Board and a written explanation of such transfer shall be provided to the legislative body of the municipality or, in a municipality where the legislative body is a town meeting, to the board of selectmen and transfers subsequently ratified by the Board at any such meeting shall not be counted in the limitation on the authority of the Superintendent to make transfers.

The Board shall not expend more than the amount of the appropriation and the amount of money received from other sources, including any unexpended funds that have been set aside in a nonlapsing account as authorized by law and described below, for educational purposes. If any occasion arises whereby additional funds are needed by the Board, the Chairperson of the Board shall notify the Fiscal Authority and submit a request for such necessary additional funds. No additional funds shall be expended until such supplemental appropriation is granted and no supplemental expenditures shall be made in excess of those so authorized.

Unexpended Funds

Notwithstanding any provision of the general statutes, municipal charter, home rule ordinance, or other ordinance, the Board may deposit into a nonlapsing account any unexpended funds from the prior fiscal year from the budgeted appropriation, in an amount not to exceed two per cent of the total budgeted appropriation for such prior fiscal year. Each expenditure from the account must be authorized by the Board and shall be made only for educational purposes, in accordance with state law.

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Each fiscal year, the Board shall compile and submit to the Connecticut State Department of Education a report regarding the nonlapsing account, including, but not limited to, the total balance of the account, the amount deposited into such account in a fiscal year, and an accounting of the expenditures made from such account.

Legal Reference:

Conn. Gen. Stat. § 10-221

§ 10-222

§ 10-248a

Public Act 25-175, "An Act -Revising the Effective Dates of Provisions Regarding Certain Municipal Referenda and Equity Joint Ventures and Concerning Contracts with the Department of Developmental Services, the Commissioner of Education's Network of Schools, the Reporting of Certain School District Financial Information, the Failure to File for Certain Grand List Exemptions and the Deferrals of Certain Towns' Real Property Revaluations."

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MODEL CODE OF CONDUCT
GOVERNING PROCUREMENTS UNDER A FEDERAL AWARD

In compliance with Code of Federal Regulations 2 C.F.R. § 200.318

In accordance with Federal and State regulations, the following Code of Conduct applies to the selection, award, and/or administration of a contract procuring property or services under a Federal award, including the expenditure of Connecticut School Nutrition Program ("School Nutrition Program") funds by any Plymouth Board of Education ("Board") employee or agent.

Article I. Purpose

The purpose of this Code of Conduct is to establish standards of conduct covering real or apparent conflicts of interest and governing the actions of Board employees engaged in the selection, award, and/or administration of contracts procuring property or services under a Federal award, including expending School Nutrition Program funds on goods and/or services. This Code of Conduct also sets forth discipline that may result from violating these standards.

Article II. Code of Conduct Provisions

In addition to other applicable policies and regulations promulgated by the Board, the Board expects the following conduct of all persons who are engaged in the award and administration of contracts supported by Federal funds, including School Nutrition Program funds:

1. No employee, officer, or agent of the Board shall participate in the selection, award and/or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Conflicts of interest arise when one of the following has a financial or other interest in, or a tangible personal benefit from, the firm selected for the award:
    a. The employee, officer, or agent of the Board;
    b. Any immediate family member of the Board employee, officer, or agent (spouse, sibling, parent, child);
    c. The partner of the Board employee, officer, or agent; or
    d. An organization that employs or is about to employ one of the above.
2. The Board's employees, officers, or agents shall neither solicit nor accept gratuities, favors, travel packages, incentives or anything of monetary value from contractors, potential contractors, or parties to sub-agreements related to programs funded by the Federal government, in whole or in part.
3. The Board's employees, officers, or agents shall disclose any actual or potential conflict of interest to the Superintendent of Schools or his/her designee.

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Thereafter, as required by law, the Board shall disclose in writing any potential conflict of interest to the Connecticut State Department of Education.

Failure of any Board employee to abide by this code of conduct may result in disciplinary action, up to and including termination. The Board reserves the right to pursue legal actions for violations as permitted by law.

Legal References:
Federal Regulations and Guidance

2 C.F.R. § 200.112 Conflict of Interest.
2 C.F.R. § 200.318 General Procurement Standards.
2 C.F.R. § 400.2 Conflict of Interest.

United States Department of Agriculture, Contracting with Food Service Management Companies: Guidance for School Food Authorities, https://fns-prod.azureedge.net/sites/default/files/cn/SP40_CACFP12_SFSP14-2016a2.pdf (May 2016).

United States Department of Agriculture, Contracting with Food Service Management Companies: Guidance for State Agencies, https://fns-prod.azureedge.net/sites/default/files/cn/SP40_CACFP12_SFSP14-2016a1.pdf (May 2016).

United States Department of Agriculture, Written Codes of Conduct and Performance of Employees Engaged in Award and Administration of Contracts, SP 09-2015, CACFP 03-2015, SFSP 02-2015, https://fns-prod.azureedge.net/sites/default/files/cn/SP09_CACFP%2003_SFSP02-2015os.pdf (November 2014).

Connecticut Statutes, Regulations and Guidance:

Conn. Gen. Stat. § 1-79 Definitions.
Conn. Gen. Stat. § 10-215 Lunches, breakfasts and other feeding programs for public school children and employees.
Conn. Gen. Stat. § 10-215b Duties of State Board of Education re feeding programs.
Conn. Gen. Stat. § 10-216 Payment of expenses.
Regs. Conn. State. Agencies § 10-215b-1 Competitive foods.

State of Connecticut, Department of Education, Operational Memorandum No. 10-16, Written Code of Conduct and Performance of Employees Engaged in Award and Administration Contracts, https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2016/OM10-16.pdf (August 2016).

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DISPOSAL OF OBSOLETE OR SURPLUS EQUIPMENT/MATERIALS

No obsolete or surplus equipment or materials will be discarded or disposed of by a teacher or other school employee. Such items will be set aside and reported to the principal. The principal or his/her designee will prepare lists of such equipment and materials annually and forward such lists to the Superintendent of Schools or his/her designee.

Obsolete or surplus equipment or materials shall be donated or sold only upon the approval of the Superintendent of Schools or his/her designee.

Prior to making a donation or conducting a public sale, and after determining there is no appropriate use of such equipment or materials within the school system, the Superintendent of Schools or his/her designee shall notify the Mayor of the Town of the equipment or materials approved for disposal, and shall request a written response within 15 days indicating the Town's interest, if any, in such equipment or materials. Any transfer costs shall be borne by the recipient of the surplus or obsolete equipment or materials.

Obsolete or surplus equipment or materials not retained within the school system or transferred to the Town may be donated or sold to the general public in a manner determined by the Superintendent of Schools to be in the best interests of the school district. Such equipment or materials shall not be donated to an employee of the school district and shall only be sold to an employee of the school district if the equipment or material is offered for sale to the general public. Under those circumstances, the employee shall receive an equal, but not preferential, opportunity to purchase the equipment or materials.

If the equipment and materials cannot be donated or sold, the Superintendent of Schools or his/her designee may dispose of such items.

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GIFTS, GRANTS, AND BEQUESTS TO THE DISTRICT

Gifts of personal property to the district, including monetary donations, that meet criteria set forth in the administrative regulations established in accordance with this policy are welcomed and encouraged.

The Superintendent of Schools shall develop administrative regulations governing the acceptance of gifts and the procedure for examining and evaluating offers of gifts to the district.

The school principal may approve gifts to a school that are valued at $500 or under and meet criteria established by the administrative regulations established in accordance with this policy. The Superintendent of Schools must accept gifts that are valued over $500 and meet criteria established by the administrative regulations established in accordance with this policy.

The Superintendent, in consultation with the principals and considering the wishes of the donor, may determine the school(s), program(s) or facility(ies) to which the gift shall go if it is valued at more than $500. The Superintendent shall inform the Board of Education of any gift valued at more than $500 that has been accepted by the district.

If the Superintendent determines that a gift fails to meet the criteria established in the administrative regulations, the Superintendent shall inform the Board of Education. Any gift rejected by the Board of Education shall be returned to the donor or the donor's estate, with a statement indicating the reason for rejection of such gift.

Legal Reference:

Conn. Gen. Stat. § 10-237

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ADMINISTRATIVE REGULATIONS REGARDING GIFTS, GRANTS AND BEQUESTS TO THE DISTRICT

Any gift presented to the school district must be accompanied by a letter from the donor identifying the subject and purpose of the gift and any restrictions that may apply for official action and recognition by the Board of Education.

To be accepted, a gift must be used for the educational benefit of students and satisfy the following criteria:

- Have a purpose consistent with the purposes of the school district
- Will not begin a program that the Board of Education would be unwilling to take over when the gift or grant funds are exhausted
- Would not bring unanticipated costs to the school district
- Will place no restrictions on the school program
- Will be suitable for use in meeting the instructional needs of the school
- Will not be inappropriate or harmful to the best educational interests of students, as determined by the administration
- Will not imply endorsement of any business or product
- Will not be in conflict with any provisions of the school code or public law

All gifts, grants and bequests shall become school district property.

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INDIVIDUALS WITH DISABILITIES EDUCATION ACT FISCAL COMPLIANCE

The Plymouth Board of Education (the "Board") will, in all respects, comply with the requirements of state and federal law with regard to special education fiscal compliance. Pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq. ("IDEA") and its associated regulations, the Board shall specifically ensure compliance with the fiscal provisions of the IDEA, as they may be amended from time to time. The Superintendent or designee shall develop administrative regulations with regard to such fiscal compliance.

Legal References:

Individuals with Disabilities Education Act, 20 U.S.C. § 1400, et seq. (IDEA)
34 C.F.R. § 300.144
34 C.F.R. § 300.202(a)(3)
34 C.F.R. § 300.133(d)
34 C.F.R. § 300.172
34 C.F.R. § 300.205(d)
34 C.F.R. § 300.226(a)
34 C.F.R. § 300.209(b)
34 C.F.R. § 300.818, Appendix A

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ADMINISTRATIVE REGULATIONS CONCERNING INDIVIDUALS WITH DISABILITIES EDUCATION ACT FISCAL COMPLIANCE

The Plymouth Board of Education (the "Board") will, in all respects, comply with the requirements of state and federal law with regard to special education fiscal compliance. Pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq. ("IDEA") and its associated regulations, the Board shall specifically ensure compliance with the fiscal provisions of the IDEA, as they may be amended from time to time.

1. Property, Equipment and Supplies

The Board, through the Director of Special Education or designee, shall ensure that any property, equipment or supplies purchased with funds from an IDEA grant shall be purchased, used and maintained in accordance with such grant requirements. Among any other statutory or regulatory requirement, the Director of Special Education or designee must ensure that:

A. All property, equipment and supplies purchased with IDEA grant funds are labeled as such, including equipment supplied to students with disabilities attending private schools at parental expense;

B. A labeling procedure is in place for all property, equipment and supplies purchased with IDEA grant funds;

C. All property, equipment and supplies purchased with IDEA grant funds are used for assistive technology, instructional or educational purposes;

D. Copies of purchase orders for property, equipment and supplies purchased with IDEA grant funds indicate the source of funding for such purchases; and

E. A tracking procedure is in place for all property, equipment and supplies purchased with IDEA grant funding.

Any procedures mentioned above shall be developed and maintained by the Director of Special Education or designee.

2. Supplanting

Funding provided to the Board through an IDEA grant must be used to supplement state, local and other federal funds, not to supplant those funds. The Board shall comply with all federal and state laws in this regard.

3. Parentally Placed Private School Special Education Students - Expenditures

The Director of Special Education or designee will maintain an ongoing census of all students with disabilities who are eligible for special education and related services and attend school within the geographical bounds of the district. Eligible students with

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disabilities who attend private schools within the geographical bounds of the district will receive services equal to a proportional share of the IDEA grant funds received annually by the district. The proportionate share shall be calculated on an annual basis in accordance with federal law, but no later than October 1st of any given year. Calculation of the proportionate share shall be the responsibility of the Director of Special Education or designee.

The Director of Special Education or designee shall meet annually with all private school representatives to consult on matters related to the distribution of funds under the IDEA. Documentation regarding annual meetings shall be maintained by the Director of Special Education or designee.

The Director of Special Education or designee shall annually maintain budgets with regard to the manner in which IDEA grant funds are expended for eligible parentally placed private school students with disabilities.

4. National Instructional Materials Accessibility Standard

The Board shall ensure compliance with the National Instructional Materials Accessibility Standard ("NIMAS"). In this regard, the Director of Special Education or designee shall maintain procedures to inform all staff within the district how a blind and/or print disabled student shall be referred in order to receive materials from the National Instructional Materials Access Center ("NIMAC"). Such procedures shall include, but not be limited to, the following:

A. Initial referral to a planning and placement team ("PPT"), or if such child is already identified as having a disability under the IDEA, direct referral to the child's PPT;

B. Identification of the name of the district personnel who shall receive, and are responsible for, referrals for the receipt of materials from NIMAC; and

C. The requirement that either (i) publishers prepare and, on or before delivery of the print instructional materials, provide to the NIMAC electronic files containing the contents of the print instructional materials using the standards of the NIMAS; or (ii) instructional materials are purchased from the publisher that are produced in, or may be rendered in, specialized formats.

5. Coordinated Early Intervening Services

Coordinated Early Intervening Services ("CEIS") may be used to support students in grades K-12 who are not currently identified as needing special education or related services, but who need additional academic or behavioral support to succeed in a general education environment. Up to 15% of IDEA grant funds may be used for CEIS. In this regard, the Director of Special Education or designee shall maintain procedures to ensure:

A. The funds used for CEIS are used only for the K-12 levels;

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B. Students receiving CEIS are tracked directly over a three-year period to determine if, at any time during this period, these students should be referred for special education services; and

C. Documentation of funds spent on professional development are maintained, which documentation shall include the teachers who receive professional development for CEIS and the names of the students of those teachers who would have benefited from the teacher receiving the professional development.

6. Charter Schools

In compliance with federal law, the Board shall ensure that all eligible students with disabilities who attend charter schools that are part of the district receive special education services in the same manner as eligible students with disabilities who attend other district schools. Further, the Board shall ensure that IDEA grant funds are provided to charter schools within the district that serve eligible students with disabilities on the same basis as the district provides funds to other public schools within the district.

7. Excess Costs Calculation - Federal Requirement

The Board shall comply with federal law with regard to the calculation of excess cost. The Director of Special Education or designee shall maintain documentation regarding the separate excess cost calculations for elementary and secondary school students, as well as the formulas used for each level of students.

Legal References:

Individuals with Disabilities Education Act, 20 U.S.C. § 1400, et seq. (IDEA)
34 C.F.R. § 300.144
34 C.F.R. § 300.202(a)(3)
34 C.F.R. § 300.133(d)
34 C.F.R. § 300.172
34 C.F.R. § 300.205(d)
34 C.F.R. § 300.226(a)
34 C.F.R. § 300.209(b)
34 C.F.R. § 300.818, Appendix A

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PURCHASING

I. DEFINITIONS

For purposes of this policy:

A. "Goods or service" includes, but is not limited to, portable classrooms, motor vehicles or materials and equipment, such as telephone systems, computers and copy machines.

B. "General services" include all services that result in a measurable end product that can be defined by bid specifications and all services used in the process of building or altering property (excluding architectural, engineering and other design services).

C. "Property" means real property or personal property.

D. "Special or Professional Services" are those that involve the furnishing of judgment, expertise, advice or effort by persons other than Plymouth Board of Education ("Board") employees, and may result in the delivery of reports, recommendations, designs, or other documents to assist the Board with a project or venture, but need not involve the delivery of a specific end product that is defined by bid specifications. Examples of Professional Services include, but are not limited to, in-service instructional leaders, pupil services personnel, special education evaluators, interpreters, tutors, computer programmers, architects, auditors, attorneys, instructional consultants, and temporary agencies. Examples of Special Services include, but are not limited to, repair services for Board property, equipment and vehicles where the nature of the repair cannot be defined in advance by bid specifications and the professional expertise of the service provider is critical.

II. REQUIREMENTS APPLICABLE TO PURCHASES OF ALL GOODS AND SERVICES

A. Consultation with Municipality Regarding Contracts for Goods or Services, After going out to bid for a good or service and receiving submissions, if the local municipality uses such good or service, the Board shall consult with the legislative body of the municipality, or in the case of a municipality for which the legislative body is a town meeting or representative town meeting, the board of selectmen, and, if the equivalent level of such good or service is provided by the municipality through a municipal contract for a lower cost than the lowest qualified bid submission received by the Board, the Board will consider a cooperative agreement with the local municipality for the provision of such good or service.

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B. Consultation with Municipality Regarding Contracts for Payroll Software and Insurance

The Board will consult with the local municipality's legislative body, or in the case of a municipality for which the legislative body is a town meeting or representative town meeting, the board of selectmen, prior to purchasing payroll processing or accounts payable software systems to determine whether such systems may be purchased or shared on a regional basis.

When possible, the Board will consult with the local municipality's legislative body, or in the case of a municipality for which the legislative body is a town meeting or representative town meeting, the board of selectmen, regarding the joint purchasing of property insurance, casualty insurance, and workers' compensation insurance.

III. THRESHOLD PROCUREMENT AMOUNTS

The following thresholds shall apply to the Board's procurement of goods or general services and special or professional services.

	Anticipated Expenditure	**Procedure**
Goods or General Services	Under $25,000	Direct purchase from the vendor. Competitive quotes and/or bidding not required.
Goods or General Services	$1,000 to $24,999	Competitive quotes required. See Section V.
Goods or General Services	$25,000 or more	Competitive bidding required. See Section IV.
Special or Professional Services	Under $10,000	Competitive proposals not required.
Special or Professional Services	$10,000 to $49,999	Informal competitive proposals required. See Section VI.
Special or Professional Services	$50,000 or more	Formal competitive proposals required. See Section VI.

IV. GOODS OR GENERAL SERVICES: COMPETITIVE BIDDING PROCESS

A. Purchases Requiring Competitive Bidding Process ($25,000 or More)

Purchases of goods or general services, including high technology equipment, expected to involve an expenditure of $25,000 or more must be made by sealed competitive bid. As set forth below, such purchases in the amount of at least $1,000, but less than $25,000, may be awarded by the Superintendent or his/her designee. Such purchases in the amount of $25,000 or more must be awarded by the Board.

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B. Bid Specifications

When competitive bidding is required, all requirements, terms and conditions describing and detailing the goods or general services to be purchased must be included in the bid specifications. The bid specifications should define the requirements for quality of materials, equipment and/or services to be procured, and as such, they should clearly and accurately reflect the required characteristics of the goods and services. The bid specifications should also include any vendor or contractor qualification requirements, a school district contact person responsible for all communications with prospective bidders, a requirement that all communications between the school district contact person and prospective bidders be in writing and, if the purchase will require entering into a contract, a form of contract whenever possible.

The Superintendent of Schools or his/her designee shall develop the proposed bid specifications and other bid documents.

C. Advertising

A legal notice inviting sealed bids shall be published by the Superintendent of Schools or his/her designee on the website of the municipality and/or Board and in a daily local newspaper, if publication in a newspaper is required by law. At least five (5) calendar days must intervene between the date of the website and/or newspaper publication and the final date for submitting bids. The notice shall contain a general description of the goods or services being bid, the school district contact person and the day, hour and place of the bid opening and may contain other information relating to the bid including, but not limited to, where and when bid packages may be obtained.

D. Bid Openings and Awards

All bids, and bid security if applicable, must be submitted to the Superintendent of Schools or his/her designee in sealed envelopes and show on the face of the envelopes the bid number, the title of the bid and the bidder's name. All envelopes will be date stamped as received.

All bids shall be opened in public, and the name of the bidder(s) and total cost(s) shall be read aloud at the time stated in the legal notice. No bids shall be accepted, or opened, that were not submitted in compliance with the procedures set forth in the notice advertising the bid.

Within a reasonable time following the bid opening, the Superintendent of Schools or his/her designee will tabulate and analyze the bids. For contracts of at least $1,000, but less than $25,000, the Superintendent shall make a provisional award, subject to finalization of the contract or other applicable conditions, to the Selected Bidder, as that term is defined below. For contracts of $25,000 or more, the Board shall make a

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provisional award, subject to finalization of the contract or other applicable conditions, to the Selected Bidder, as that term is defined below.

A record of all bids submitted, giving the names of the bidders, the amounts of the bids and indicating the successful bidder, shall be preserved by the Superintendent of Schools or his/her designee in accordance with State law.

E. Bid Security

When, in the judgment of the Superintendent of Schools or his/her designee, bid security is advisable, all bids must be accompanied by security in one of the following forms - certified check, cashier's check, personal money order, letter of credit or bid bond. The requirement for, and the amount of, the security must be set forth in the bid advertisement. All security presented must show the Board of Education as the payee.

F. Requirements Governing Bid Awards

The award shall be made to the bidder (1) whose bid meets the requirements, terms and conditions contained in the bid specifications and (2) is deemed to meet the criteria identified below among those bidders possessing the skill, ability and integrity necessary for faithful performance of the work (the "Selected Bidder"). To be considered as a Selected Bidder, the bidder must have submitted all of the required information identified in the bid specifications. The determination of the Selected Bidder shall then be made after consideration of the objective criteria identified below and after consideration of a cooperative agreement with the municipality as described in Section I.B, above. Unless otherwise required by law, the Board reserves the right to award the bid to a Selected Bidder that is not the lowest bidder. In such instance, the reason for the selection shall be documented and preserved by the Superintendent or as may be required by law.

In determining the Selected Bidder the following criteria will be considered, as applicable:

(1) The ability and capacity of the bidder to perform the work based on an evaluation of the character, integrity, reputation and experience of the bidder. Consideration shall be given to previous work performed by the bidder for the Board or for other agencies, including the quality and degree of satisfaction with the work performed.

(2) The financial resources of the bidder and the bidder's ability to secure any required bonds and/or insurance.

(3) Compliance by the bidder with all applicable federal, state and local laws, including any licensing requirements.

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(4) Delivery or completion time.

(5) Cost and/or considerations of additional value included in the proposal.

(6) Involvement in litigation.

Should a situation arise where it is impossible to distinguish between two bidders to identify the Selected Bidder, and one of the bidders has its principal place of business located within the Town of Plymouth, the award will be made to the local bidder.

G. Rejection of Bids

The Superintendent of Schools or his/her designee has the right to reject any and all bids in whole or in part. Any or all bids may be rejected if there is any reason to believe that collusion exists among the bidders. Individual bids may be rejected for irregularities of any kind, including, without limitation, alteration of form, additions not called for, conditional bids, incomplete bids and unexplained erasures.

The Superintendent of Schools or his/her designee retains the right to waive any formality or procedural irregularities in the bids received. Nothing in this Section should be construed to limit in any way the right of the Board or the Superintendent of Schools or his/her designee to reject any and all bids.

H. Advisement of Bid Award

Upon acceptance of the Selected Bidder, a letter will be sent to the successful bidder(s) announcing the selection of the chosen bidder. All unsuccessful bidders will be sent a letter notifying them that they were not selected.

V. GOODS OR GENERAL SERVICES: COMPETITIVE QUOTATION PROCESS

A. Purchases Requiring Competitive Quotation Process

Price quotations should be requested for all purchases of goods or general services, including high technology equipment, expected to involve an expenditure of at least $1,000 but less than $25,000. Purchases of goods or services which involve an expenditure of less than $25,000 may be made directly, without regard to any competitive bid or quotation process. Waivers from the quotation process are available for the same reasons that Waivers are available from the bidding process. (See Section VII.)

B. Process for Obtaining Quotations

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Generally, quotations, either oral or written, should be solicited by the Superintendent of Schools or his/her designee from at least three (3) vendors or obtained from current catalogs or price sheets. The refusal of an otherwise valid supplier to quote shall qualify as a quotation. The quotation process does not require a public opening, and the Superintendent of Schools or his/her designee may send requests to a limited number of selected vendors. If such a request includes a date for submission of quotations, vendors must furnish all of the necessary information to the Superintendent of Schools or his/her designee by the specified date.

The purchase shall be awarded to the provider whose proposal is deemed to best provide the good and/or services desired, taking into account cost and the project requirements, and after consideration of a cooperative agreement with the municipality as described in Section I.B, above.

VI. SPECIAL OR PROFESSIONAL SERVICES: COMPETITIVE PROPOSAL PROCESS FOR SPECIAL OR PROFESSIONAL SERVICES

A. Purchases Requiring Competitive Proposal Process

Purchases of Special or Professional Services shall be made by competitive proposal should the situation warrant if the purchase exceeds the monetary thresholds set forth below. Waivers from the competitive proposal process are available for the same reasons that Waivers are available from the bidding process. (See Section VII.) Funds must be available in the proper account in order to solicit proposals.

Purchases of Special or Professional Services that are expected to be less than $10,000 shall be made directly by the Superintendent of Schools or his/her designee, without regard to a competitive proposal process.

B. Informal Competitive Proposal Process ($10,000 to $49,900)

Purchases of Special or Professional Services for at least $10,000 but less than $50,000 shall be based upon a reasonable and documented attempt to solicit proposals. Where possible, proposals should be solicited from at least three (3) potential service providers. The refusal to submit a proposal from an otherwise valid provider shall qualify as a proposal. The process shall be documented in writing by the Superintendent of Schools or his/her designee. If a single reasonable source exists for the service, this fact shall be documented in writing.

An evaluation of the proposals received will be made by the Superintendent of Schools or his/her designee. The Superintendent or his/her designee shall provisionally award the contract, subject to finalization of the contract or other applicable conditions, to the service provider whose proposal is deemed to best provide the services desired, taking into account cost and the project requirements. Nothing in this Section should be

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construed to limit in any way the right of the Superintendent to reject any and all proposals.

A record of all proposals submitted, giving the names of the service providers, the amount of the proposal and indicating the successful provider, shall be preserved by the Superintendent of Schools or his/her designee in accordance with State law.

C. Formal Competitive Proposal Process $50,000 or more)

A Requests for Proposals (RFP) for purchases of Special or Professional Services for $50,000 or more shall be prepared by the Superintendent or his/her designee. All requirements, terms and conditions, including provider qualifications, should be included in the RFP, as well as a form of contract whenever possible. The award of any such contracts for $50,000 or more shall be approved by the Board.

The Superintendent or his/her designee will arrange to have a legal notice requesting proposals published on the website of the municipality and/or the Board and in a daily local newspaper, if publication in a newspaper is required by law, at least ten (10) business days prior to the deadline for submitting proposals. Whenever the Superintendent or his/her designee determines that the service requested is so specialized that few appropriate providers can reasonably be expected to respond to the notice, the Superintendent may substitute another means of notifying potential providers of the RFP in lieu of such website and/or newspaper notice, except as provided by law. Any advertisement or other notice of the RFP shall include the general description of the services sought and the location where RFPs may be obtained.

An evaluation of the proposals will be made by the Superintendent of Schools or his/her designee. The contract shall be provisionally awarded, subject to finalization of the contract or other applicable conditions, to the service provider whose proposal is deemed to best provide the services desired, taking into account cost and the requirements, terms and conditions contained in the RFP. Nothing in this Section should be construed to limit in any way the right of the Superintendent to reject any and all proposals.

A record of all proposals submitted, giving the names of the service providers, the amount of the proposal and indicating the successful provider, shall be preserved by the Superintendent of Schools or his/her designee in accordance with State law.

VII. WAIVERS

In certain situations the bidding, quotation and proposal processes described above may be waived even though the estimated cost exceeds the dollar threshold established by the Board. The processes identified in this policy may be waived for any of the following reasons:

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(1) Only one (1) reasonable or qualified source can be identified. This shall include situations such as the purchase of copyrighted materials and textbooks.

(2) Time is a critical factor, and taking the time necessary to comply with the formal process would not be in the best interests of the school district.

(3) In the opinion of the Superintendent or his/her designee, an emergency requires the purchase of goods or services to avoid injury or damage to human life or property.

(4) A special source, including but not limited to a sale, purchasing plan, government discount or trade-in allowance, will supply a lower cost than that which would result from a bid process.

(5) A formal process would result in substantially higher costs to the school district, or inefficient use of personnel, or cause substantial disruption of school district operations.

(6) Regional or cooperative purchases.

(7) Cooperative agreement with the local municipality.

For a requesting administrator to obtain a Waiver, the requesting administrator must make a written request to the Superintendent or his/her designee. The Waiver must bear the signature of the requesting administrator and state the reason(s) for requesting the Waiver. Upon receipt of such a request, the Superintendent or his/her designee will promptly notify the requesting administrator if such Waiver has been granted.

In addition, the Superintendent or his/her designee, in their sole determination, may grant a Waiver for any of the above-listed reasons. Upon granting such a Waiver, the Superintendent or his/her designee must, in writing, state the reason(s) for granting such Waiver.

VIII. PROCUREMENT OF PROPERTY AND SERVICES UNDER A FEDERAL AWARD

When procuring property and/or services under a Federal award, the Board will comply with relevant regulations in the Code of Federal Regulations, including but not limited to those described in 2 C.F.R. § 200.318 through 2 C.F.R. § 200.327, as amended from time to time, to the extent it is required to do so. See Appendix A.

When procuring property and/or services purchased with Federal funds as part of the National School Lunch Program, including Connecticut School Nutrition Program funds, the Board will comply with relevant regulations in the Code of Federal Regulations, including but not limited to those described in 2 C.F.R. § 200.318 through

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2 C.F.R. § 200.327, 7 C.F.R. § 220.16, and 7 C.F.R. § 210.21 through 7 C.F.R. § 210.23, as amended from time to time, to the extent it is required to do so. The Board's school nutrition program director, management, and staff tasked with National School Lunch Program procurement responsibilities shall complete annual training on Federal procurement standards and retain records to document compliance with this requirement. The Board shall also comply with school food authority procurement reviews and audits, as may be required and in accordance with applicable law.

IX. COMPLIANCE WITH GRANTS

When procuring goods or services pursuant to a Federal or State grant or award, the Board will comply with applicable grant or award requirements and assurances made in connection with such funds. Such requirements may include, but are not limited to, use of such funds for authorized purposes and the inclusion of required contract provisions in any contract funded by Federal or State grants.

X. AUDITS

The Board may periodically engage an independent audit firm to review the purchasing procedures outlined in this policy.

Legal References:
State Law:

Conn. Gen. Stat. §10-241c Local board of education to consult with municipality re joint purchasing of property insurance, casualty insurance and workers' compensation insurance.

Conn. Gen. Stat. §10-241d Local board of education consultation with municipality re goods and services. Cooperative arrangements.

Conn. Gen. Stat. §10-241e Local board of education consultation with municipality prior to purchase of payroll processing or accounts payable software program.

Federal Law:

2 C.F.R. § 200.317 through 2 § C.F.R. 200.327.
2 C.F.R. § 200.81 (definition of property).
7 C.F.R. § 210.21 through 2 C.F.R. § 210.23.

United States Department of Agriculture, Food and Nutrition Service, Policy Memorandum SP 39-2017, Local Agency Procurement Reviews for School Food Authorities (June 30, 2017).

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APPENDIX A

Procurement Standards for the Acquisition of Property or Services Under a Federal Award
2 C.F.R. §§ 200.317-300.327

This Appendix addresses procurements of property and services under a Federal award. Whenever these Federal Uniform Guidance Procurement Standards, as may be amended from time to time, are applicable to procurements made by the Board of Education (the "Board"), the Board shall apply the more restrictive procurement rules, to the extent it is required to do so.

2 C.F.R. §	FULL TEXT OF C.F.R. SECTION	BRIEF SUMMARY
200.317	**Procurements by States**	
	When procuring property and services under a Federal award, a State must follow the same policies and procedures it uses for procurements from its non–Federal funds. The State will comply with §§ 200.321, 200.322, and 200.323 and ensure that every purchase order or other contract includes any clauses required by § 200.327. All other non–Federal entities, including sub recipients of a State, must follow the procurement standards in §§ 200.318 through 200.327.	A State must follow the same policies and procedures when making procurements under a Federal award and when making procurements using non-Federal funds. The Board must follow 2 C.F.R. §§ 200.318 through 200.327 when making procurements under a Federal award.
200.318	**General Procurement Standards**	
200.318(a)	The non–Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or sub award. The non–Federal entity's	The Board must have and use documented procurement procedures consistent with State, local, and Federal requirements for

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	documented procurement procedures must conform to the procurement standards identified in §§ 200.317 through 200.327.	procurements made under a Federal award.
200.318(b)	Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.	The Board must maintain oversight of its contractors.
200.318(c)(1)	The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.	The Board must have written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award, and administration of contracts. Board officers and employees (and their immediate family members, partners, and organizations which employ or are about to employ them) must not have a financial or other interest in a contract and must not solicit or accept gifts from contractors or subcontractors. The standards of conduct must provide for disciplinary actions for violations. *See* Code of Conduct Governing Procurements Under a Federal Award.
200.318(c)(2)	If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization,	The Board's conflict of interest policy must cover relationships with certain parent, affiliate, or subsidiary organizations, if any.

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	the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.	
200.318(d)	The non-Federal entity's procedures must 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 approach.	The Board must avoid acquisition of unnecessary or duplicative items.
200.318(e)	To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements.	The Board is encouraged to use intergovernmental agreements or inter-entity agreements.
200.318(f)	The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.	The Board is encouraged to use Federal excess and surplus in lieu of purchasing new, when feasible.
200.318(g)	The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.	The Board is encouraged to use value engineering clauses in construction contracts of sufficient size.
200.318(h)	The non-Federal entity must 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 such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.	The Board must award contracts to responsible contractors, after considering contractor integrity, compliance with public policy, past performance, and financial and technical resources.

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200.318(i)	The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.	The Board must maintain procurement records.
200.318(j)(1)	The non-Federal entity may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a non-Federal entity is the sum of: (i) The actual cost of materials; (ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.	The Board may only use time-and-materials type contracts in limited circumstances.
200.318(j)(2)	Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.	The Board must set a ceiling price and assert a high degree of oversight on time-and-materials type contracts.
200.318(k)	The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.	The Board must be responsible for settling contract disputes and administrative issues arising out of procurements.
200.319	**Competition**	

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200.319(a)	All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of this section and § 200.320.	The Board must conduct procurement transactions in a manner providing full and open competition.
200.319(b)	In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to: (1) Placing unreasonable requirements on firms in order for them to qualify to do business; (2) Requiring unnecessary experience and excessive bonding; (3) Noncompetitive pricing practices between firms or between affiliated companies; (4) Noncompetitive contracts to consultants that are on retainer contracts; (5) Organizational conflicts of interest; (6) Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and (7) Any arbitrary action in the procurement process.	Contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. The Board must avoid practices that are restrictive of competition.
200.319(c)	The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.	The Board is generally prohibited from using geographical preference in the evaluation of bids or proposals.
200.319(d)	The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations: (1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not,	The Board must have written procedures for procurement transactions that ensure that solicitations (1) incorporate a clear

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	in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and (2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.	and accurate description of technical requirements and (2) identify all requirements the offeror must fulfill and all other factors to be used in evaluating bids or proposals.
200.319(e)	The non-Federal entity must 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. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.	The Board must ensure all prequalified lists are current and include enough qualified sources to ensure open and free competition.
200.319(f)	Noncompetitive procurements can only be awarded in accordance with § 200.320(c).	Noncompetitive procurements must be awarded in accordance with § 200.320(c).
200.320	**Methods of Procurement to be Followed**	
200.320	The non–Federal entity must have and use documented procurement procedures, consistent with the standards of this section and §§ 200.317, 200.318, and 200.319 for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.	The Board must have and use documented procurement procedures for procurements made under a Federal award or sub-award.
200.320(a)	Informal procurement methods. When the value of the procurement for property or services under a Federal award does not exceed the simplified	For purchases under the simplified acquisition threshold, or a lower

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	acquisition threshold (SAT), as defined in § 200.1, or a lower threshold established by a non–Federal entity, formal procurement methods are not required. The non–Federal entity may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:	threshold established by the Board, the Board may use informal procurement methods (micro-purchases and small purchases).
200.320(a)(1)	(1) Micro-purchases— (i) Distribution. The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (See the definition of micro-purchase in § 200.1). To the maximum extent practicable, the non–Federal entity should distribute micro-purchases equitably among qualified suppliers. (ii) Micro-purchase awards. Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non–Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it[s] files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non–Federal entity. (iii) Micro-purchase thresholds. The non–Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the non–Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations. Non–Federal entities may establish a threshold higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with paragraphs (a)(1)(iv) and (v) of this section. (iv) Non–Federal entity increase to the micro-purchase threshold up to $50,000. Non–Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non–Federal entity may self-certify a	Micro-purchases should be distributed equitably among qualified suppliers and may be awarded without soliciting competitive price or rate quotations if the Board considers the price to be reasonable based on research, experience, purchase history, or other information and documents its files accordingly.

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	threshold up to $50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with § 200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following: (A) A qualification as a low-risk auditee, in accordance with the criteria in § 200.520 for the most recent audit; (B) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or, (C) For public institutions, a higher threshold consistent with State law. (v) Non–Federal entity increase to the micro-purchase threshold over $50,000. Micro-purchase thresholds higher than $50,000 must be approved by the cognizant agency for indirect costs. The non-federal entity must submit a request with the requirements included in paragraph (a)(1)(iv) of this section. The increased threshold is valid until there is a change in status in which the justification was approved.	
200.320(a)(2)	(2) Small purchases— (i) Small purchase procedures. The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the non–Federal entity. (ii) Simplified acquisition thresholds. The non–Federal entity is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk and its documented procurement procedures which must not exceed the threshold established in the FAR. When applicable, a lower simplified acquisition threshold used by the non–Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.	For small purchases, the aggregate dollar amount of which is higher than the micro-purchase threshold but lower than the simplified acquisition threshold, price or rate quotations must be obtained from an adequate number of qualified sources.

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200.320(b)	Formal procurement methods. When the value of the procurement for property or services under a Federal financial assistance award exceeds the SAT, or a lower threshold established by a non–Federal entity, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with § 200.319 or paragraph (c) of this section. The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold the non–Federal entity determines to be appropriate:	For purchases that exceed the simplified acquisition threshold, or a lower threshold established by the Board, formal procurement methods must be used and public advertising may be required.
200.320(b)(1)	(1) Sealed bids. A procurement method in which bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction, if the conditions [stet]. (i) In order for sealed bidding to be feasible, the following conditions should be present: (A) A complete, adequate, and realistic specification or purchase description is available; (B) Two or more responsible bidders are willing and able to compete effectively for the business; and (C) 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. (ii) If sealed bids are used, the following requirements apply: (A) Bids must be solicited from an adequate number of qualified sources, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised; (B) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond; (C) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly; (D) A firm fixed price contract award will	In sealed bid procurements, bids are publicly solicited and the Board awards the contract to the lowest responsible bidder. The Board should use sealed bidding for procuring construction whenever complete, adequate, and realistic specifications are available, two or more responsible bidders are able to compete, and selection of a successful bidder can be made principally on the basis of price. If sealed bids are used, they must meet certain requirements. Any or all bids may be rejected if there is a sound documented reason.

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	be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and (E) Any or all bids may be rejected if there is a sound documented reason.	
200.320(b)(2)	(2) Proposals. A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements: (i) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical; (ii) The non–Federal entity must have a written method for conducting technical evaluations of the proposals received and making selections; (iii) Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the non–Federal entity, with price and other factors considered; and (iv) The non–Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms that are a potential source to perform the proposed effort.	Proposals for fixed price or cost-reimbursement type contracts are generally used when conditions are not appropriate for the use of sealed bids. Proposals are awarded after requests for proposals are publicized with evaluation factors identified; an adequate number of offerors are solicited, considered and evaluated; and contracts are awarded to the responsible offeror with the most advantageous proposal.
200.320(c)	Noncompetitive procurement. There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply: (1) The acquisition of property or services, the aggregate dollar amount of	The Board may procure goods via noncompetitive procurement only when the aggregate dollar amount does not exceed the micro-purchase

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	which does not exceed the micro-purchase threshold (see paragraph (a)(1) of this section); (2) The item is available only from a single source; (3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation; (4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non–Federal entity; or (5) After solicitation of a number of sources, competition is determined inadequate.	threshold; the item is available only from a single source; in times of public emergency; when the Federal awarding agency expressly authorizes noncompetitive procurement; or competition is determined inadequate after solicitation of a number of sources.
200.321	**Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms**	
200.321(a)	The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.	The Board must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
200.321(b)	Affirmative steps must include: (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists; (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources; (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises; (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; (5) Using the services and assistance, as appropriate of such organizations as the Small Business Administration and the Minority Business Development Agency of	Affirmative steps include, among other things, placing qualified small and minority businesses and women's business enterprises on solicitation lists; assuring such businesses are solicited whenever they are potential sources; dividing total requirements, when economically feasible, into smaller tasks or quantities; and establishing delivery schedules, where the

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	the Department of Commerce; and (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.	requirement permits, which encourage participation by such businesses.
200.322	**Domestic Preferences for Procurements**	
200.322(a)	As appropriate and to the extent consistent with law, the non–Federal entity should, to the greatest 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). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.	The Board will, to the greatest extent practicable, provide a preference for goods, products or materials produced in the United States.
200.322(b)	For purposes of this section: (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States. (2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.	
200.323	**Procurement of Recovered Materials**	
200.323	A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of	The Board must follow standards in procuring certain items over $10,000 to ensure, among other things, the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

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	competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired by the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and recourse recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.	
200.324	**Contract Cost and Price**	
200.324(a)	The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.	The Board must perform a cost or price analysis for every procurement in excess of the simplified acquisition threshold.
200.324(b)	The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and, in all cases, where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.	The Board must negotiate profit for sole-source procurements and for procurements where cost analysis is performed.
200.324(c)	Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under Subpart E [Cost Principles] of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.	Costs incurred or estimated costs are allowable only to the extent they comply with Federal Cost Principles.
200.324(d)	The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.	The cost plus a percentage of cost and percentage of construction cost

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		methods of contracting must not be used.
200.325	**Federal Awarding Agency or Pass-Through Entity Review**	
200.325(a)	The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements when the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.	The Board must make technical specs for procurements available upon request by the Federal awarding agency or pass-through entity.
200.325(b)	The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when: (1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part; (2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation; (3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product; (4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or (5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.	Upon request, the Board must make procurement documents available for pre-procurement review by the Federal awarding agency or pass-through entity in a number of circumstances.

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200.325(c)	The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part. (1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis; (2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.	The Board is exempt from pre-procurement review if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.
200.326	**Bonding Requirements**	
200.326	For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:	For construction or facility improvement contracts or subcontracts exceeding the simplified acquisition threshold, the Federal awarding agency or pass-through entity may accept the Board's bonding requirements if it determines that its interest is adequately protected.
200.326(a)	A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as	The Board must require a bid guarantee of 5% of the bid price if the awarding agency or pass-through

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	assurance that the bidder will, upon acceptable of the bid, execute such contractual documents as may be required within the time specified.	entity does not accept the Board's bonding requirements.
200.326(b)	A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.	The Board must require a performance bond for 100% of the contract price if the awarding agency or pass-through entity does not accept the Board's bonding requirements.
200.326(c)	A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided in the contract.	The Board must require a payment bond for 100% of the contract price if the awarding agency or pass-through entity does not accept the Board's bonding requirements.
200.327	**Contract Provisions**	
200.327	The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200- Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.	The Board must include the Federal contract provisions in its contracts.

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STUDENT ACTIVITY ACCOUNT POLICY

Purpose of Student Activity Accounts

Student activity funds provide club advisors, coaches, and students an account in a school's name, under the Federal Tax Identification Number of the School District, controlled by the principal. The funds collected by the students or groups can be utilized for anything related to the activity of that student group.

Management of Student Activity Accounts

Building principals are responsible for supervising club advisors, coaches, and students to create and maintain fiscal records for individual student activity accounts.

The Board authorizes the Superintendent and the Business Manager to approve the use of student activity funds.

No school-sponsored student organizations are permitted to establish an activity account separate from the student activities fund.

Student activity accounts no longer being utilized or inactive for three school years will be closed and redistributed to an alternative activity account at the discretion of the Superintendent.

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MEAL CHARGING POLICY

The Plymouth Board of Education (the "Board") recognizes the importance of providing nutritious food to students in the Plymouth Public Schools (the "District").

The Board is a sponsor of the United States Department of Agriculture (USDA) Food and Nutrition Services' Child Nutrition Programs, including the National School Lunch Program (NSLP) and the School Breakfast Program (SBP), and the District shall adhere to the federal and state guidelines and regulations pertaining to these school Child Nutrition Programs. In accordance with federal law, the Board will make a public announcement and notify parents and guardians of the eligibility criteria for free and reduced price meals and provide information regarding how a household may make an application for these benefits. Such notice and application will generally be distributed at the beginning of each school year.

Charging Meals

The District uses an automated prepayment system for student meal accounts. Students whose accounts have insufficient funds, and who do not bring a meal or other funds to school to pay for meals, may charge meals to their meal accounts. Students will be informed of their right to purchase a meal, which excludes a la carte items, for any school breakfast, lunch or other meal offered by the District, even if the student's account has insufficient funds.

The Board prohibits publicly identifying or shaming a student for any unpaid meal charges, including, but not limited to, the following:

- Delaying or refusing to serve a meal to such student;
- Designating a specific meal option for the student; or
- Otherwise taking any disciplinary action against the student.

Collection of Unpaid Meal Charges

The District's efforts to recover from households' money owed due to the charging of meals must not have a negative impact on the children involved and shall focus primarily on the adults in the household responsible for providing funds for meal purchases. The District shall consider whether the benefits of potential collections outweigh the costs that would be incurred to achieve those collections.

For purposes of this policy, "delinquent debt" means unpaid meal charges.

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The District will contact the parents/guardians of students who charge meals to their meal accounts in order for the District to collect the delinquent debt. The first such communication will be a written communication, by mail or e-mail, after 10 meal(s) have been charged. Subsequent written and verbal communications with parents/guardians concerning delinquent debt will be made by the building administrator or designee, as may be necessary and appropriate. All communications regarding unpaid meal charges shall be made directly and discreetly to parents/guardians. Written communications with parents/guardians regarding collection of a student's unpaid meal charges shall include an application for free or reduced price meals, information on local food pantries and the Connecticut Department of Social Services' supplemental nutrition assistance program, and a link to the District's or Town's website that lists community services available to Town residents.

In the event a student's unpaid meal charges are equal to or more than the cost of thirty (30) meals, the parents/guardians of such students will be referred to the District's homeless education liaison.

The Plymouth Board of Education understands that, under federal regulations, funds from the non-profit school food service account cannot be used to cover the cost of unpaid charged meals. Therefore, the Board assumes responsibility for covering any negative balances remaining at the end of the school year.

The Board shall comply with applicable federal and state laws and other federal or state requirements concerning the collection of unpaid meal charges. The Board may accept gifts, donations or grants from any public or private sources for the purpose of paying off any unpaid charges for school lunches, breakfasts or other such feeding.

In addition, federal funds are intended to subsidize meals for children and may not be used to subsidize meals for adults, including teachers, staff, or visitors. Adults are not permitted to charge meals and must pay for their meals at the time of service or through a pre-paid account.

Dissemination of Policy

This policy shall be provided in writing to all households at the start of each school year and to households transferring to the District during the school year. This policy shall be provided to all District staff responsible for its enforcement. In addition, school social workers, nurses, the homeless liaison, and other staff members assisting children in need or who may be contacted by families with unpaid meal charges shall be informed of this policy.

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The District shall maintain, to the extent required by law, documentation of the methods used to communicate this policy to households and District staff responsible for policy enforcement.

The District shall provide this policy to the Connecticut State Department of Education during Administrative Reviews.

The Superintendent or designee may, if necessary and appropriate, develop administrative regulations in furtherance of this policy.

Legal References:

State law:

Connecticut General Statutes

§ 10-215 Lunches, breakfasts and other feeding programs for public school children and employees.

State of Connecticut, Department of Education, School Health, Nutrition and Family Services Operational Memorandum No. 11-22, "Connecticut Statutory Requirements for Unpaid Meal Charges in Public Schools," June 15, 2022.

State of Connecticut, Department of Education, Bureau of Health/Nutrition, Family Services and Adult Education Operational Memorandum No. 4-17, "Guidance on Unpaid Meal Charges and Collection of Delinquent Meal Payments," Nov. 2, 2016.

Federal law:

7 C.F.R. Part 210 National School Lunch Program.

7 C.F.R. Part 220 School Breakfast Program.

7 C.F.R. Part 245 Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools.

U.S. Department of Agriculture, Food and Nutrition Service, Policy Memo SP 46-2016, "Unpaid Meal Charges: Local Meal Charge Policy," July 8, 2016.

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U.S. Department of Agriculture, Food and Nutrition Service, Policy Memo SP 47-2016, "Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments," July 8, 2016.

U.S. Department of Agriculture, Food and Nutrition Service, Policy Memo SP 57-2016, "Unpaid Meal Charges: Guidance and Q&A," Sept. 16, 2016.

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