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7 Procurement Policy for School Food Purchases and Use of Federal Funds

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9 The School District will adhere to the following requirements for any procurement related to food service:

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11 **Purchase Procedures & Thresholds:**

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13 **School District’s Established Micro-Purchase threshold (choose one):**

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15 The School District’s Micro Purchase Threshold is: \$10,000.

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17 Small Purchases greater than \$10,000 up to \$80,000 is the small purchase threshold for the state
18 of Montana per Section 20-9-204, MCA.

- 19 ○ Small purchases will be handled in a fair and equitable manner consistent with district
20 policy on purchasing.
- 21 ○ The District will obtain two or more quotes from qualified sources.
- 22 ○ The District may enter into a cooperative purchasing contract for procurement of supplies
23 with one or more districts or a Cooperative Services Program. This allows the District to
24 participate in a cooperative purchasing group to purchases supplies through the group
25 without bidding if the cooperative purchasing group has a publicly available master list of
26 items available with pricing included and provides an opportunity at least twice yearly for
27 any vendor, including a Montana vendor, to compete, based on a lowest responsible
28 bidder standard.

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30 **Formal Purchases greater than \$80,000:**

- 31 ○ If the aggregate amount exceeds eighty thousand dollars (\$80,000), the contract must be
32 awarded through a formal bid process and a call for bids or request for proposals shall be
33 published according to 20-9-204, MCA. No contract shall be divided for the purpose of
34 avoiding the formal procurement process.
- 35 ○ The District may enter into a cooperative purchasing contract for procurement of supplies
36 with one or more districts or a Cooperative Services Program. This allows the District to
37 participate in a cooperative purchasing group to purchases supplies through the group
38 without bidding if the cooperative purchasing group has a publicly available master list of
39 items available with pricing included and provides an opportunity at least twice yearly for
40 any vendor, including a Montana vendor, to compete, based on a lowest responsible
41 bidder standard.

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43 **Bid Specifications:**

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45 The School District contracts will not be awarded to any potential vendors who write any of the bid
46 specifications, the solicitation documents, or any of the contract language. The district must take care that
47 any bids for services and supplies are written in the broadest possible terms to allow for participation by
48 the largest number of potential vendors. Identical bid specifications and/or request for proposals will be
49 provided to all potential vendors.

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Geographic Preference:

No Geographic Preference (advantage based on location) is allowed with federal funds except for documented Farm to School (Farm to Plate) efforts. Therefore, as part of Farm to School may choose to apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products only.

Buy American:

The District will adhere to “Buy American” for the food service program 7 CFR 210.21(d). Therefore, Food Service is required to purchase, to the maximum extent possible, domestic products for use in meals served in our Child Nutrition Program. There are two limited exceptions when non-domestic foods may be purchased. These exceptions are determined by the SFA:

- The food or food product is not produced or manufactured in the United States in sufficient and reasonably available quantities of a satisfactory quality; or
- Competitive bids reveal the cost of a United States food or food product is significantly higher than the nondomestic product--Food preferences can only be met with foreign goods.
- SFA must document exceptions and keep records.

Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms. 2 CFR 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.

Standards of Conduct for District Employees:

- The School District maintains the following code of conduct for any employees engaged in award and administration of contracts supported by Federal Funds:
- No District employee will engage in any procurement when there is a conflict of interest, real or perceived, and District employees cannot solicit or accept any gratuities, favors or anything of monetary value from prospective vendors. This shall not preclude district personnel from serving on boards or participating in organizations that support the district’s need to obtain quality services and supplies.
- No District employee shall participate in the selection, award or administration of a contract when any of the following persons have a financial interest in the firm selected for award:
 - The employee
 - Any member of his/her immediate family
 - People with whom there is an intimate personal relationship
 - An organization which employs or is about to employ any of the above
- The District would like all employees to behave with the utmost integrity and never be self-serving, be fair in all aspects of the procurement process, be alert to conflicts of interest, and avoid any compromising situations.
- Employees found to be in violation of this policy are subject to disciplinary action, up to and including termination.

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Policy History

First reading on: 5/15/24

Second reading/Adopted on: