

6
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:**

12 Definition/Instructions

13 **Micro-Purchase:** Micro-purchases may be awarded without soliciting competitive price or rate
14 quotations if the non-Federal entity considers the price to be reasonable. To the maximum extent
15 practicable, the non-Federal entity should distribute micro-purchases equitably among qualified
16 suppliers. The school district is responsible for determining and documenting an appropriate micro-
17 purchase threshold based on internal controls, an evaluation of risk, and its documented procurement
18 procedures. School districts may use the Federal micro-purchase threshold of up to \$10,000 or may
19 establish a higher threshold, up to \$50,000 if the district self-certifies (CFR 200.320(a)(1)(iv)).

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21 **School District’s Established Micro-Purchase threshold:**

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

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

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

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

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

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3 **Bid Specifications:**
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5 The School District contracts will not be awarded to any potential vendors who write any of the bid
6 specifications, the solicitation documents, or any of the contract language. The district must take care that
7 any bids for services and supplies are written in the broadest possible terms to allow for participation by
8 the largest number of potential vendors. Identical bid specifications and/or request for proposals will be
9 provided to all potential vendors.

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

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

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

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30 **Contracting with small and minority businesses, women's business enterprises, and labor surplus**
31 **area firms. 2 CFR 200.321(a):**

- 32 • The non-Federal entity must take all necessary affirmative steps to assure that minority
- 33 businesses, women's business enterprises, and labor surplus area firms are used when possible.

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35 **Standards of Conduct for District Employees:**

- 36 • The School District maintains the following code of conduct for any employees engaged in award
- 37 and administration of contracts supported by Federal Funds:
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- 39 • No District employee will engage in any procurement when there is a conflict of interest, real or
- 40 perceived, and District employees cannot solicit or accept any gratuities, favors or anything of
- 41 monetary value from prospective vendors. This shall not preclude district personnel from serving
- 42 on boards or participating in organizations that support the district’s need to obtain quality
- 43 services and supplies.
- 44
- 45 • No District employee shall participate in the selection, award or administration of a contract when
- 46 any of the following persons have a financial interest in the firm selected for award:
- 47 ○ The employee
- 48 ○ Any member of his/her immediate family
- 49 ○ People with whom there is an intimate personal relationship
- 50 ○ An organization which employs or is about to employ any of the above

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- 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.

Policy History

First reading on: 5/15/24

Second reading/Adopted on: 6/3/24