

*This procurement plan document is a prototype and is not intended to be all inclusive. The School Food Authority (SFA) is ultimately responsible to ensure that the plan complies with all Federal Regulations and policies, State requirements, and local procurement policies and that the most restrictive of these is used (2 CFR 200.318). The SFA should use the Procurement Manual to assist with detailing specific procedures for their district. The applicable section of the Procurement Manual is referenced throughout for your convenience.*

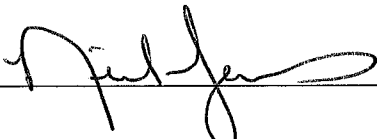
## Butts County School Nutrition Procurement Plan

### OVERVIEW

The Butts County School Nutrition Program will follow the procurement procedures reflecting applicable Federal, State and local laws, regulations, and policy found on the following pages. (7 CFR 210.21(a), 2 CFR 200.318-327 and Appendix II to Part 200). The SFA will ensure maximum full and open competition and maintain all documentation and records sufficient to detail the procurement process. 2 CFR 200.318(a) and 2 CFR 200.318(i).

This procurement plan applies to the National School Lunch Program (NSLP, 7 CFR 210.21), School Breakfast Program (SBP, 7 CFR 220.16), Special Milk Program (SMP, 7 CFR 215.14(a)), and Food Distribution Program (7 CFR 250.4(d)) with all program specific procurement requirements as appropriate.

The following staff, Nicole James SNP Director and William Rustin Assistant Superintendent, are responsible for implementing or insuring execution of the procurement plan as written:

Name: 

Title: SNP Director

Name: 

Title: Asst. Sup.


Name: \_\_\_\_\_

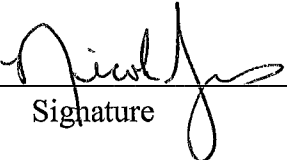
Title: \_\_\_\_\_

The procurement plan and procedures contained within this document will be implemented on 7/1/2024 and will remain in effect from this date forward until amended

This plan will be reviewed annually and revised and updated as needed.

Superintendent: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature

Business Official:  \_\_\_\_\_ Date: 10/15/24  
Signature

School Nutrition Director:  \_\_\_\_\_ Date: 7/1/24  
Signature

Reviewed: Dates and by whom (use initials): Updated 7/1/24

Revised/Updated: Dates and by whom (use initials): \_\_\_\_\_

**Butts County School Nutrition Program  
Procurement & Bid Procedures**

## **OVERVIEW OF BUTTS COUNTY PROCUREMENT THRESHOLDS:**

The SFA will purchase goods, products, and/or services in compliance with the Federal Regulations (7 CFR 210.21 and 2 CFR 200 subpart D and Appendix II to part 200), State law and rules and local Board of Education policies when procuring items. The primary purpose of this procurement plan is to ensure open and free competition exists to the maximum extent possible. The procurement process practiced by the SNP must not restrict or eliminate competition.

The Butts County School Nutrition Program will forecast projections of the amounts of goods or services to be purchased by using Nutri-kids Procurement Program totals, based on school year purchases of each line item and individual vendor. School System menus and manager production books also used for the process of forecasting projections of the amounts of goods or services to be purchased.

### **Purchases of \$0-\$9,999.99:**

Individuals should use their best judgment as to cost and source of supply. Bid quotations are desirable to operate economically, but are not required. Items that can be purchased from a state contract/quote should be purchased from that contract/quote.

### **Purchases of \$10,000 - \$49,999.99:**

Three or more written supplier quotations are required. Evidence of requisition approval and quotations should be retained.

### **Purchases \$50,000 - \$99,999.99:**

Three or more written supplier quotations are required. Evidence of requisition approval and quotations should be retained. Superintendent and Board of Education approval is required.

### **Purchases \$100,000 and greater:**

Purchases of budgeted goods and services with a cost greater than \$100,000 shall be awarded through a written competitive bid process or request for proposal where the best value may be selected. Superintendent and Board of Education approval is required.

### **Contract service agreements over \$20,000:**

These must be approved by the Superintendent and the Board.

### **Contract service agreements less than \$20,000:**

These must be approved by the Superintendent or designee.

Exceptions to the above may be granted by the Superintendent when the following scenarios are present:

- The purchase is deemed an emergency
- There is only one source available for the needed good or service

The following are exceptions to the above competitive process:

- Board approved textbooks
- Contracted professional services including, but not limited to, architectural, engineering, consultative, legal, accounting, or advisory services
- Continuation of an existing purchase agreement, competitive quotation, bid, proposal, time and material contract, rent, lease, or purchase order

- Agreements for maintenance service from the original vendor or authorized agent of the installed equipment or products
- Purchases made under existing state bid contracts or state cooperative purchasing agreements.

## **PROCUREMENT METHODS:**

### **A. MICRO PURCHASE METHOD: less than or equal to 0- \$9,999.99**

Any item(s) with a forecasted value of less than or equal to \$10,000 will be procured by the Micro Purchase procurement procedure (2 CFR 200.67 & 2 CFR 200.320 (a)(1)). These purchases may be awarded without soliciting competitive quotes if the entity considers the price reasonable, keeping in mind that multiple purchases throughout the year must be equitably split among all qualifying vendors.

Individuals, Nicole James SNP Director or SNP Lead Manager, should use their best judgment as to cost and source of supply. Bid quotations are desirable to operate economically, but are not required. Items that can be purchased from a state contract/quote should be purchased from that contract/quote.

### **B. SMALL PURCHASE METHOD: Purchases of \$10,000 – 49,999.99**

Small purchase procedures utilize informal procurement methods for securing goods and services that does not exceed **\$49,999.99**. Quotes from more than one (1) qualified vendor/supplier will be obtained and documentation will be maintained. (2 CFR 200.88 & 2 CFR 200.320 (a)(2)).

Three or more written supplier quotations are required. Evidence of requisition approval and quotations should be retained.

#### **Purchases \$50,000 - \$99,999.99:**

Three or more written supplier quotations are required. Evidence of requisition approval and quotations should be retained. Superintendent and Board of Education approval is required.

1. **Identification of Items:** Identify which items will be procured using the small purchase method.
2. **Product Specifications:** Specifications will be prepared to fit the needs of the School Nutrition Program. SFA will incorporate a clear and accurate description of the technical requirements of the materials, product, or service. Specifications will identify all requirements which the vendors must fulfill and all other factors to be used in evaluating quotes.
3. **Obtaining Quotes:** Quotes may be obtained in writing; orally; checking vendor list on website or an on-line search engine. Each quote will be based on the same specifications to ensure full and open competition. A minimum of 3 sources will be sourced, more than 1 source of pricing will be obtained, 3 sources are recommended.
4. **Small Purchase Award:** The (Nicole James/SNP Director) will be responsible for contacting potential vendors when price quotes are needed. The price quotes will receive appropriate confidentiality before award. Quotes will be awarded by (Nicole James/SNP Director). Quotes awarded will be to the lowest and best quote based upon quality, service availability, price, and/or student taste test or any other method used to determine student preference.
5. **Maintenance of Records:** The (Nicole James/SNP Director) will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, correct item is received and written specifications. Emergency Log, Bid Board Approval Documentation and Vendor Communication notebook will be used as documentation.

These must be approved by the Superintendent and the Board.

7. **Contract service agreements less than \$20,000:**

These must be approved by the Superintendent or designee.

**C. COMPETITIVE PURCHASE METHODS: Purchases \$100,000 and greater**

This method applies to purchases of goods or services when the aggregate cost amount is more than \$100,000 and greater. Purchases of budgeted goods and services with a cost greater than \$100,000 shall be awarded through a written competitive bid process or request for proposal where the best value may be selected. Superintendent and Board of Education approval is required.

- The contracts will be awarded to the responsible bidder/proposer whose bid or proposal is responsive to the invitation and is most advantageous to the SFA, price, and other factors considered. Any and all bids or proposals may be rejected in accordance with law.
- (Nicole James/SNP Director) is required to sign on the bid tabulation of competitive sealed bids or the evaluation criterion score sheet of competitive proposals signifying a review and approval of the selections. All documentation is recorded and witnessed on bid validation sheet.
- (Nicole James/SNP Director) reviewing the procurement system to ensure compliance with applicable laws.
- (Nicole James/SNP Director) is responsible for documentation the actual product specified is received. Anytime an accepted item is not available, the (Nicole James/SNP Director) will select the acceptable alternate. The contractor must inform (Nicole James/SNP Director) (within 24 hrs. of delivery) a product is not available. In the event a non-domestic agricultural product is to be provided to the SFA, the contractor must obtain, in advance, the written approval of the product. The (Nicole James/SNP Director) must comply with the Buy American Provision.
- Full documentation as to the reason an accepted item was unavailable, and to the procedure used in determining acceptable alternates, will be available for audit and review. The person responsible for this documentation is (Nicole James/SNP Director).
- The (Nicole James/SNP Director) responsible for maintaining all procurement documentation.
- Mid-year price or quarterly price increases may be allowed based on current markets and can be re-bid at any time. Documentation of price updates sheets must be retained for documentation purposes.

**1. INVITATION FOR BID (IFB):**

All goods/services with a forecasted value exceeding \$100,000 may utilize a formal competitive *bid* (2 CFR 200.320(b)(1)) through an **Invitation for Bid (IFB)**. This type of competitive solicitation implements a detailed, non-restrictive list of specifications that result in a firm, fixed price contract.

**1. INVITATION FOR BID (IFB):**

An announcement of an Invitation for Bid (IFB) or a Request for Proposal (RFP) will be placed on the BCSS Webpage in the Georgia Procurement registry if the contract is forecasted to be over \$100,000.00

- to publicize the intent of the School Food Authority to purchase needed items. The advertisement for bids/proposals or legal notice will be run for (30 days).
- An advertisement is required for all purchases over the districts small purchase threshold of (\$100,000 Competitive purchase threshold.) The announcement (advertisement or legal notice) will contain a:

- general description of items to be purchased
- deadline for submission of questions and the date written responses will be provided including addenda to bid specifications, terms and conditions as needed
- date of pre-bid meeting, if provided, and if attendance is a requirement for bid award criteria
- deadline for submission of sealed bids or proposals, and
- address of location where complete specifications and bid forms may be obtained.
- time, date and location of when and where the solicitation is due

In an IFB or RFP, each vendor will be given an opportunity to bid on the same specifications.

The developer of written specifications or descriptions for procurements will be prohibited from submitting bids or proposals for such products or services.

The IFB or RFP will clearly define the purchase conditions. The following list includes requirements, not exclusive, to be addressed in the procurement document:

1. Contract period and contract type
2. SFA is responsible for all contracts awarded (statement)
3. Date, time, and location of bid opening
4. How vendor is to be informed of bid acceptance or rejection
5. Delivery schedule
6. Set forth requirements (terms and conditions) which bidder must fulfill in order for bid to be evaluated
7. Benefits to which the School Food Authority will be entitled if the contractor cannot or will not perform as required
8. Statement assuring positive effort will be made to involve minority and small business
9. Statement regarding the return of purchase incentives, discounts, rebates, and credits to the School Food Authority's non-profit Child Nutrition account of Contract provisions as required in 7 CFR Part 3016.36(i)
10. Contract provisions as required in 7 CFR Part 210.210 for all cost reimbursable contracts
11. Contract provisions as required in 7 CFR Part 210.16(a)(1-10) for Food Service Management Company contracts
12. Procuring instrument to be used are purchase orders from firm fixed prices after formal bidding
13. Price adjustment clause (escalation/de-escalation) based on appropriate standard or cost index (Consumer price index, or other as stated in terms and conditions for pricing and price adjustments)
14. Method of evaluation and type of contract to be awarded
15. Method of award announcement and effective date (if intent to award is required by State or local procurement requirements)
16. Specific bid protest procedures including contact information of person and address and the date by which a written protest must be received
17. Provision requiring access by duly authorized representatives of the School Food Authority, State Agency, United State Department of Agriculture, or Comptroller General to any books, documents, papers and records of the contractor which are directly pertinent to all negotiated contracts
18. Method of shipment or delivery upon contract award
19. Provision requiring contractor to maintain all required records for five years after final payment and all other pending matters (audits) are closed for all negotiated contracts
20. Description of process for enabling vendors to receive or pick up orders upon contract award

energy efficiency contained in the State Energy Plan issued in compliance with the Energy Policy and Conservation Act (PL 94-165)

22. Signed statement of non-collusion
23. Signed Debarment/Suspension Certificate or statement included in contract or copy of Excluded Parties List System (EPLS).
24. Provision requiring "Buy American" as outlined in 7 CFR Part 210.21 (d); specific instructions for prior approval of all of non-domestic product (s).

25. Specifications and estimated quantities of products and services prepared by SFA and provided to potential contractors desiring to submit bids/proposals for the products or services requested.

- If any potential vendor is in doubt as to the true meaning of specifications or purchase conditions, interpretation will be provided in writing to all potential bidders by (Nicole James/ SNP Director) and date specified.

(II The (Nicole James/SNP Director) will be responsible for securing all bids or proposals. • The (Nicole James/SNP Director) will be responsible to ensure all SFA procurements are conducted in compliance with applicable Federal, State, and local procurement regulations. • The following criteria will be used in awarding contracts as a result of bids/proposals.

1. Price
2. Quality
3. Delivery Schedule/Service/Past History

- All Formal Bids must be presented to the Butts County Board of Education for approval before purchases are made under awarded contract. All bid approval documents are filed with School Year bid documentation.

#### **D. NON-COMPETITIVE PROCUREMENT METHOD (2 CFR 200.320(c)):**

Whenever possible, items which are available only from a *Single Source* will be avoided.

1. Written Specifications will be prepared and provided to the vendor.
2. Documentation of product and Single Source information will be kept in the Informal Bid Documentation Folder.
3. SNP Director will be responsible for documenting the decision to use the non-competitive procurement and ensuring that the actual product specified was received.

If it is determined that non-competitive procurement method will be used, the Butts County SNP Director, Nicole James, must do due diligence with the provider to get the best price possible.

The Assistant Superintendent, William Rustin, will be responsible for reviewing the procedures to be certain all state and local Board of Education requirements for using non-competitive procurements are met.

#### **1. EMERGENCY PROCUREMENT:**

Emergency procurement is used in the rare event when there is not enough time or a short period of time to allow for proper procurement. Documentation will be collected and maintained.

1. If it is necessary to make a one-time emergency procurement to continue service or obtain goods, the purchase shall be made, and a log of all such purchases shall be maintained by the (Butts County School System). The following emergency procedures shall be followed. All emergency procurements shall be approved by the (Butts County SNP Director). At a minimum, the following emergency procurement procedures shall be documented:

1). If it is necessary to make a one-time emergency procurement to continue service or obtain goods, the purchase shall be made, and a log of all such purchases shall be maintained by the (Butts County School System). The following emergency procedures shall be followed. All emergency procurements shall be approved by the (Butts County SNP Director). At a minimum, the following emergency procurement procedures shall be documented:

- Item name and date of purchase
- Dollar amount
- Vendor, and reason for emergency

## **ADDITIONAL PROCUREMENT OPTIONS AND FACTORS:**

### **A. THIRD-PARTY ENTITY:**

If and when using a Third-Party Entity, such as a group purchasing organization (GPO), non-Child Nutrition Program entity, or statewide contracts (not vetted by the Georgia Department of Education (GaDOE) School Nutrition Program), the Butts County School Nutrition Program will use the Group Purchasing Entity's pricing as one source when soliciting price/rate quotes.

The SFA will utilize state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.  
(2 CFR 200.318(e), when applicable.

Butts County is not currently participating in any Third Party Entity Process: SY25

### **B. SCHOOL NUTRITION COOPERATIVES:**

The Butts County School Nutrition Program will utilize collaborative efforts for procurement in order to encourage competitive pricing and increase buying power through a school nutrition cooperative.

Butts County is not currently participating in any School Nutrition Cooperative Process: SY25

### **C. PIGGYBACKING:**

The Butts County School Nutrition Program may choose to piggyback onto a solicitation for goods/services under the same terms, costs, and conditions, Nicole James/SNP Director will be included as a participant on the original solicitation or ensure that the solicitation and contract include language for the addition of parties and specifies applicable limits without causing a material change. All documentation will be acquired and maintained for the length of the contract plus five years. The contract will be monitored to ensure compliance.

Butts County is not currently participating in any Piggybacking Bid Process: SY25

### **D. MARKET BASKET ANALYSIS:**

The Butts County School Nutrition Program will use market basket analysis to award contracts based on an evaluation of the lowest price a vendor can offer for a representative of (%) of goods the program operator wishes to obtain.

Butts County is not currently participating in any Market Basket Analysis: SY25

### **E. FOOD SERVICE MANAGEMENT COMPANY (FSMC):**



procurement requirements when obtaining the services of an FSMC.

Butts County is not currently not using a Food Service Management Company: SY25

#### **F. PROCESSING:**

The Butts County School Nutrition Program will comply with existing Federal, State and local procurement requirements when procuring a Processor to convert raw, bulk USDA foods into ready-to-use end products.

Butts County is not currently not processing any USDA items: SY25

#### **G. DISCOUNTS, REBATES AND CREDITS:**

The Butts County School Nutrition Program will ensure discounts, rebates, and other applicable credits are applied. Discounts, rebates and credits will be clearly identified on invoices submitted for payment monthly. Documentation will include the reason or explanation for any applied credit.

1. All discounts and credits are documented on the vendor invoice weekly by the SNP Manager/ and or vendor at the time of delivery and price validation.
2. SNP Bookkeeper verifies all discounts or credits are valid through price verification using the Nutri-kids Inventory and Ordering software. If credits are valid a credit is taken and verified on the month end vendor statement.
3. All rebates are completed and sent to specific vendor by the SNP Clerk and based on vendor usage reports.
4. Upon receipt of rebate check, all funds are then deposited and recorded into the SNP 600 fund by the SNP Bookkeeper.

#### **H. BUY AMERICAN PROVISION: (7 CFR 210.21 (d))**

The Butts County School Nutrition Program will exhaust every effort to comply with the Buy American Provision (food purchases only). Documentation must be received that (1) requests consideration on the use of domestic alternative foods before approving an exception (2) the use of a non-domestic food exception when competition reveals the cost of domestic food is significantly higher than non-domestic food and (3) the use of a non-domestic alternative food due to the domestic good not produced or manufactured in enough and reasonable available quantities of a satisfactory quality.

1. Buy American Provision is stated in all bid documents for all methods of procurement.
2. Managers are responsible for verifying compliance by vendor at the point of delivery, unless non-domestic product has been preapproved by SNP Director at the point of bid award.
3. Manager reports any products that are received that are in non-compliance of the Buy American Provision and research/documentation is completed by the SNP Director and filed in the Buy American Documentation notebook. All documentation of Buy American compliance or why an exception was made for each product is made will be recorded on SNP Buy American Justification Form.
4. If an item appears on the 48 CFR 25.104 non-available articles list that it is an exception and does not need to be documented.

that only 10% of SFA purchases of non-domestic items are purchased for SY26. Percentages will decrease each year thereafter.

### **I. CONTRACTING WITH SMALL, MINORITY, AND WOMEN'S BUSINESSES:**

Positive efforts will be made to utilize small businesses, women, and minority-owned business sources, giving them the maximum feasible opportunity to compete.

1. Placing qualified small and minority businesses, labor surplus area firms, and women's business enterprises on solicitation lists;
2. Assuring that small and minority businesses, women's business enterprises, and labor surplus area firms 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, women's business enterprises and labor surplus area firms;
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, women's business enterprises and labor surplus area firms;
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. If the prime contractor utilizes subcontracts, ensure they take the affirmative steps listed in paragraphs (1) through (5) of this section.

### **J. CODE OF CONDUCT:**

In compliance with the stated regulations and in order to prohibit any potential conflict of interest, the maintenance of ethical conduct will be expected of all persons who are engaged in the selection, award, and administration of contracts supported by School Nutrition Funds.

1. Staff Training is conducted yearly and code of conduct attestation sheets are signed at the start of each school year to document understanding of expectations in reference to ethical conduct.

### **K. REVIEW OF TRANSACTIONS:**

The Butts County Board of Education agrees that the reviewing official of each transaction Nicole James/SNP Director, is responsible for the oversight and elimination of the purchasing of duplicate or unnecessary items (2 CFR 200.318(d)).

- All Formal Bids must be presented to the Butts Board of Education for approval before purchases are made under awarded contracts. All bid approval documents are filed with School Year bid documentation.
- Nicole James and SNP Bookkeeper under the supervision of Mr. William Rustin are responsible for the review of all transactions in reference to the SNP Bid process, including vendor compliance to all bid contract specifications.

### **L. TRAINING:**

James, SNP Director, will record and maintain supporting documentation of all training for each school nutrition employee.

- Code of Conduct
- Product specifications and expectations upon delivery and storage
- Buy American Provision and expectations upon delivery
- Forecasting
- USDA DOD usage and ordering
- Conflict Resolution
- Inventory Control and Management

#### **M. PROCUREMENT METHODS TIMELINE:**

A Procurement Methods timeline will identify each category of goods or services forecasted to be procured for the year and the anticipated acquisition frequency, procurement method, and monitoring frequency for each corresponding category.

Category	Procurement Method	Evaluation Used	Contract Award	Contract Duration/ Frequency
Frozen Foods (Meats, Fruits, Vegetables); Canned Foods (same as above); Bakery, Pasta, and Miscellaneous, Paper and Plastic Supplies	Formal	Line Item	Fixed price	Bi-annual (July 1-December 31; January 1-June 30) Mid-year Update Quarterly allowed due to market.
Fresh Fruits and Vegetables	Small Purchase /Formal Varies due to DOD entitlement amounts	Bottom line/Weekly Award based on need, delivery date and menu.	Cost Delivery Date Availability of DOD	July 1-June 30 Weekly award by purchasing manager. Weekly price sheets provided.
Dish machine Chemicals –Dish machines not in use at this time.  Manual-All Purpose Cleaning	Service Agreement under 20,000 Food/Paper/Cleaning Bid used for chemicals as well.	Bottom line	Fixed price with price adjustment	July 1-June 30
Small wares	Formal/Small Purchase/Micro Purchase	Bottom line	Fixed price	July 1- June 30th annual or as needed basis
Capital Equipment	Formal	Bottom line	Fixed price	July 1-June 30 <sup>th</sup> annual or as needed basis
Fresh Bread	Formal	Bottom line	Fixed price with price adjustment	July 1 – June 30th

Milk and Dairy Products	Formal	Bottom line	Fixed price with price Adjustments monthly	July 1 – June 30th
Office Supplies	Micro Purchase	Bottom line	Fixed price	As needed
Emergency	Informal	Bottom line	Fixed price	As needed

Technology	Informal/Formal/ Micro Purchasing	Bottom line Awarded upon Technology Directors Approval and on an as needed basis.	Fixed price	As needed
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