

Child Nutrition Services Procurement Procedures Coronado Unified School District

This procurement plan will be implemented on this day forward or until amended. All procurements must adhere to free and open competition. Sponsors must retain all documentation for each procurement per regulations.

Print Authorized Representative's Name

Authorized Representative's Signature*

Date

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete and accurate and the expenditures, disbursement and cash receipts are for the purposes and objectives set forth in the terms and conditions of the federal award. I am aware that my false, fictitious, or fraudulent information or the omission of any material fact, may subject me to criminal civil or administrative penalties for fraud, false statements, false claims, or otherwise.

Surplus Property

Consideration is given to purchasing government surplus property in lieu of purchasing new equipment. Property may be purchased through the public surplus auction at:

<http://www.publicsurplus.com/sms/login/confirmuser?userName=cathycaballero&cc=7632%202652>

The equipment can be bid on and purchased. The SFA has 3 days to pick up and pay for the equipment. It can be purchased through a requisition with that school district before acquiring the purchased equipment.

Any property/assets not in use by the Child Nutrition Services department must be board approved to be sold on the public surplus auction. The Superintendent or designee shall decide which district fund the sale of the property will be go to

Duplication of Goods and Services

There will be no acquisition of unnecessary or duplicate goods or services. Consideration will be given to consolidating or breaking out procurements for 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.

When applicable, contracts will include language ensuring that equivalents to brand products are met by the bidder when solicited.

Cooperative Procurement

The Superintendent or designee will be able to procure goods from a purchasing cooperative if it so chooses. The agency's role and responsibility will be to assess the benefits of using a purchasing cooperative that is in the best interest of the District. It should also be at an economical advantage to use such cooperative.

Micropurchase Procedures

When the dollar amount of procured goods and services does not exceed \$3,500, purchases will be distributed among qualified suppliers. When situations arise where purchases are not distributed equally between qualified suppliers, this will be justified based on the sale price, proximity of supplier, or other contributing factors ensuring an economic purchase for the district.

Small Purchase Procedure

When the procurement of goods or services is less than the small purchase threshold of \$88,300, the agency shall prepare a contract that will be submitted to an adequate

number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement. The contractors will be notified of future informal bidding projects if they choose to be part of an annual notice. This will be included as part of the contract for goods or services.

Formal Purchase Procedures for Advertised Bids

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists then in some newspaper of general circulation, circulated in the county. The notice may also be posted on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and website where bids will be opened. The district may accept a bid that has been submitted electronically or on paper.

The notice shall contain the time, date and location of any mandatory pre-bid conference, site visit or meeting. The notice shall also detail when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice.

Noncompetitive Procurement

Procurement for awarding a sole source contract for a specific good or service will be left up to the Superintendent or designee to ensure the purchase is in the best interest and economic approach of the district.

Without advertising for bids and upon a determination that it is in the best interest of the district, the Superintendent or designee may authorize another public corporation or agency, by contract, lease, requisition, or purchase order to lease data-processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract.

Evaluations for Bids and Proposals

All solicitations for contracts will identify the requirements that the vendor must fulfill and all other criteria to be used when evaluating bids and proposals.

A renewal of the contract may be awarded to the contractor if both parties accept for the subsequent year. Each awarded contract may be renewed for up to 3 years before a new contract is needed to be awarded.

Award of Contract

The award of the contract will be given to the lowest bidder through a cost and price analysis unless it is shown that they are unresponsive. This would include but not limited to: proposing bids after the advertised bid opening time and not submitted all information required by the initial bid.

In addition, contracts will only be awarded to responsible contractors possessing the ability to perform successfully under the terms and conditions of the contract.

Federal Executive Order 12549 "Debarment" requires that all contractors/vendors receiving individual awards using federal funds certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by and Federal department or agency from doing business with the Federal Government. Any successful bidder found on the Federal debarment list will be rejected as non-responsive.

After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for review pursuant to law, Board policy and administrative regulation.

Contractor Involvement

The bidder must ensure that they provide a clear and accurate description of the technical requirements for the material, product, or service to be procured. In addition, the contractors are prohibited from developing specifications, bid documents, and contracts.

Contract Monitoring and Documentation

Contractors will be evaluating routinely to ensure they perform in accordance with the terms, conditions, and specifications of the contract.

Records and documents will be maintained to ensure a detailed history of procurement. Documents may include but are not limited to: the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

Protests by Bidders

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specification. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver

of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide reasonable notice to the bidder of the date and time for Board consideration of the protest. The Board's decision shall be final.

Certifications

All applicable certifications should be included in procurement documents. Some applicable certifications include but are not limited to: Energy Policy, Clean Air Act, Debarment and Suspension, Certification of Lobbying, Disclosure of Lobbying Activities, Equal Opportunity Employment, Drug Free Workplace, Buy American Provision, and Independent Price Determination.

Discounts, Rebates, and Credits

All potential bidders must take into account any discounts, rebates, and other credits, that the district is entitled to.

Buy American Provision

The SFA must purchase, to the maximum extent practicable, domestic commodities or products for foods that are either unprocessed or processes. Agricultural unprocessed must be domestic. For foods that are processed, they must be processed domestically using domestic agricultural food components that are comprised of over 51% domestically grown items, by weight or volume as determined by the SFA.

There are limited exceptions to the Buy American provision which allow for the purchase of foods not meeting the "domestic" standard as described above (i.e., "non-domestic") in circumstances when use of domestic foods is truly not practicable. These exceptions, as determined by the SFA, are:

- The product is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality
- Competitive bids reveal the costs of a U.S. product are significantly higher than the non-domestic product.

Any contractor that is awarded a contract for good or services must provide proof of compliance with the Buy American provision.

Geographic preference used in contract language will not be so restrictive as to limit full and open competition. Though, local procurement will be the preferred method of purchasing.

CORONADO UNIFIED SCHOOL DISTRICT

CORONADO, CALIFORNIA