

Procurement Procedures

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ALABAMA STATE DEPARTMENT OF EDUCATION

FINANCIAL MANAGEMENT AND COMPLIANCE

CHILD NUTRITION PROGRAMS



New Directors' Training ~ Summer 2020

AGENDA

<p>General Information</p> <p>CNP Directory, Organizational Chart, Food & Nutrition Resource List, Technical Assistance Request Form, Job Tasks Timeline Calendar, Free & Reduced Application Information, Accessing Materials</p>	<p>Robbie Scott, Education Specialist ALSDE, Child Nutrition Program</p>	<p>Memos, Civil Rights, Bid Laws</p>	<p>Robbie Scott, Education Specialist ALSDE, Child Nutrition Program</p>
<p>SDE Accounting Functions</p> <p>Setting Meal Prices, PLE, Reimbursement Rates, Severe Need, Safety Net, Cost Centers</p>	<p>LaKecia Love, Education Specialist ALSDE, Food Distribution</p>	<p>Professional Standards</p> <p>Training Requirements, CNP Director Qualifications</p>	<p>LaKecia Love, Education Specialist ALSDE, Child Nutrition Program</p>
<p>Meal Accountability</p> <p>Counting & Claiming, POS Systems, School Review Forms - Breakfast, Lunch, Snack</p>	<p>Devin Williamson, Nutritionist ALSDE, Child Nutrition Program</p>	<p>CNP Online Application</p> <p>Schedule A Revisions, Updating Information, Annual Agreement</p>	<p>Chad Langston, Senior Nutritionist ALSDE, Child Nutrition Program</p>
<p>Meal Pattern</p> <p>Reimbursable Meals/Afterschool Snacks/Fundraisers/Smart Snacks</p>	<p>Chad Langston, Senior Nutritionist ALSDE, Child Nutrition Program</p>	<p>User Accounts, Site Data, Plate Cost, Openings and Closings</p>	<p>Sharon Allison, Education Specialist ALSDE, Child Nutrition Program</p>
<p>Food Production</p> <p>Food Buying Guide, CN Labels, Standardized Recipes, Menu Planner</p>	<p>Sharon Allison, Education Specialist ALSDE, Child Nutrition Program</p>	<p>Wellness</p>	<p>Julie Autrey, Education Specialist ALSDE, Child Nutrition Program</p>
<p>Production Records/Record Keeping</p>	<p>Devin Williamson, Nutritionist ALSDE, Child Nutrition Program</p>	<p>Human Resources</p>	<p>Julie Autrey, Education Specialist ALSDE, Child Nutrition Program</p>
<p>HACCP</p>	<p>LaKecia Love, Education Specialist ALSDE, Child Nutrition Program</p>	<p>Summer Programs</p>	<p>Kim Ruggles, Education Specialist ALSDE, CACFP Section</p>
		<p>Financial Management</p>	<p>Debbie Harris, Auditor ALSDE, Child Nutrition Program</p>
		<p>Procurement</p>	<p>Joel Evans, Auditor ALSDE, Child Nutrition Program</p>
		<p>Food Distribution/Statewide Procurement</p>	<p>Brantley Tucker Surplus Commodity Administrator ALSDE, Child Nutrition Program</p>
		<p>Equipment Review</p>	<p>June Barrett, Program Coordinator ALSDE, Child Nutrition Program</p>

Click on the link below to access the recorded training:

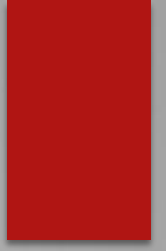
<https://alsde.webex.com/alsde/lr.php?RCID=77c1b59cdf1040a0806bbd70dd8cd378>

School Food Authority (SFA) Procurement Tool

Sections

- ▶ Procurement Authority
- ▶ Market Basket Analysis
- ▶ Group Purchasing Effort
- ▶ Micro-purchasing
- ▶ Small Purchasing
- ▶ Formal Purchasing
- ▶ Food Service Management Company (FSMC)
- ▶ Processing

Procurement Authority




List all persons who are responsible for purchasing.

Micro-purchasing purchase threshold for the state is \$10,000.

Small purchase threshold is \$15,000 for governmental agencies and \$250,000 for nongovernmental agencies.

If the threshold for the SFA is less, the most restrictive amount must be used.

Procurement Authority

SFA Procurement Table			
SFA NAME:			
<i>SFA Instructions: List name(s), position(s)/title(s) and contact information of those person(s) authorized by the LEA/SFA as procurement agent(s) and who is/are responsible for compliance with local, state and federal program regulations, including Child Nutrition Program requirements.</i>			
Name	Position/Title	Responsibilities (Ex: conducts micropurchases, small purchase procedures, develops IFB/RFPs, monitoring etc.)	Contact Information
Micro & Small Purchase Threshold Information: <i>SFA Instructions: Answer questions below.</i>			
	[NEW] What is the LEA/SFA micro-purchase threshold?	\$7,500.00	
	[NEW] What is the STATE micro-purchase threshold, if applicable?	\$10,000.00	
	What is the LEA/SFA small purchase threshold?	\$15,000.00	
	What is the STATE small purchase threshold, if applicable?	\$15,000.00	

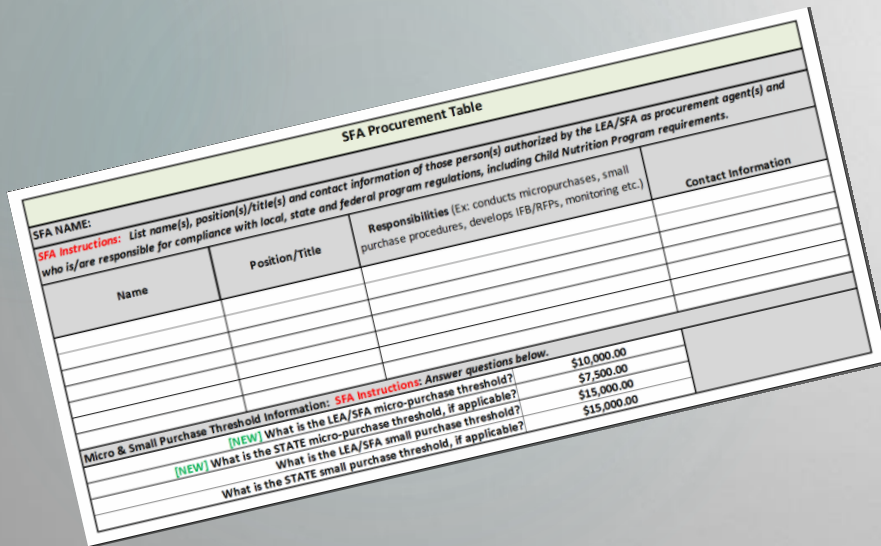
Vendor Table

▶ **Complete the Vendor Table**

- ▶ • Obtain a vendor paid list to answer questions.
- • Most questions have a drop-down box to answer.
- • Best practice is to enter 'actual amount paid' to vendors.

Vendor Paid List

- ▶ **The Vendor Paid List is used to validate data provided in SFA Procurement Table.**
- ▶ • Must be available for review
- ▶ • Sort by the type of purchase (i.e. micro, small, bid, or FSMC)
- ▶ • Summarize expenses by vendor
- ▶ • Include all purchases paid from nonprofit food service account for the school year



SFA Procurement Table

SFA NAME: List name(s), position(s)/title(s) and contact information of those person(s) authorized by the LEA/SFA as procurement agent(s) and who is/are responsible for compliance with local, state and federal program regulations, including Child Nutrition Program requirements.

Name	Position/Title	Responsibilities (Ex: conducts micropurchases, small purchase procedures, develops IFB/RFPs, monitoring etc.)	Contact Information

Micro & Small Purchase Threshold Information: SFA Instructions: Answer questions below.

[NEW] What is the LEA/SFA micro-purchase threshold?	\$10,000.00
[NEW] What is the STATE micro-purchase threshold, if applicable?	\$7,500.00
[NEW] What is the LEA/SFA small purchase threshold?	\$15,000.00
[NEW] What is the STATE small purchase threshold, if applicable?	\$15,000.00

Micro-Purchasing Vendor Table

Micro Purchases (Purchases valued below \$10,000, or most restrictive threshold)		YES			
Vendor Name	General Goods/Services Provided	Total Paid to Vendor	# Purchases from this vendor during the SY?	Comments	(FOR STATE AGENCY USE ONLY) Select for Review?
Quills	Office Supplies	1,200	12		
Alabama Restaurant Supply	Refrigerator	3,750	1		
Acme Supplies	Refrigerator	4,000	1		
Restaurant Supplies Inc.	Refrigerator	3,800	1		



Micro- purchasing



Micro-purchase is the acquisition of products or services where the aggregate amount does not exceed \$10,000.



Prices must be reasonable.



To the extent practical, purchases must be distributed equitably among all qualified suppliers.



If all three criteria are not met, the SFA must use small purchase or formal purchase procedures.

Micro-purchase Aggregate Amount

This distribution of purchases among qualified suppliers can happen in one of two ways:

- ▶ At the time of the purchase or
- ▶ Over several purchasing events

For example, a school procuring apples may purchase apples:

- ▶ From various suppliers at the same time (**the total of the purchases cannot exceed \$10,000**) or
- ▶ From one supplier one time and another supplier the next time apples are purchased (**each purchase cannot exceed \$10,000**)



Micro- purchasing

Purchases cannot be intentionally divided to avoid getting quotes.

Equitably mean dollar values must be relatively equal.

Designed for rare/emergency purchases.

Small Purchase

- ▶ Small purchase is the acquisition of products or services where the aggregate amount exceeds \$10,000.
- ▶ Quotes must be obtained from two (2) or more sources.
- ▶ Total procurement cannot exceed \$15,000 for government agencies (or most restrictive) or \$250,000 for nongovernment agencies and unprocessed agricultural products.
- ▶ If the purchase is below the most restrictive micro-purchase threshold, small purchase may be used.



Unprocessed Agricultural Products

THE FARM-TO-SCHOOL PROCUREMENT ACT

The contents of this document ONLY apply to raw, unprocessed agricultural products.

An Exemption to Small Purchases: Unprocessed Agricultural Products

The Farm-To-School Procurement Act (Section 16-1-46) modified Alabama's procurement laws for the purchase of raw, unprocessed agricultural products. The Act was passed by Representative Beech in the 2017 Legislative Session to allow for purchases of raw, unprocessed agricultural products to be purchased using federal procurement thresholds.

All purchases of raw agricultural products by schools receiving federal funding are subject to federal procurement thresholds.

Raw agricultural product may be defined by:

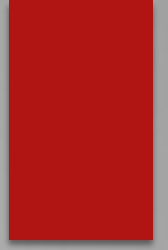
Those agricultural products that retain their inherent character. The effects of any of the following handling and preservation techniques shall not be considered as changing an agricultural product into a product of a different inherent character: Cooling, refrigerating, freezing; size adjustment through size reduction made by peeling, slicing, dicing, cutting, chopping, shucking, and grinding; drying or dehydration, or both; washing; the application of high water pressure or cold pasteurization; packaging, such as placing eggs in cartons, and vacuum packing and bagging, such as placing vegetables in bags; butchering livestock, fish, and poultry; and the pasteurization of milk (Section 16-1-46, Code of Alabama 1975).

PRODUCT TABLE 1	
Unprocessed Agricultural Products Include: (Follow Federal Thresholds)	
Fruit Dehydrated fruit (cranberries) Pre-sliced fruit Whole, fresh fruit Whole, frozen fruit	Milk Pasteurized, Unflavored milk
Vegetables Chopped greens Shelled peas Whole, fresh vegetables Whole, frozen vegetables	Grains Whole-form, or ground (Rice, flour, barley, grits, oatmeal)
Meat Unprocessed meats with no additives or fillers (frozen and ground meat)	Other Pickles
Fish, including nuggets and fillets with no additives or fillers	
Poultry (whole or cut)	
Eggs packed in cartons	

PRODUCT TABLE 2	
Unprocessed Agricultural Products <i>do not</i> Include: (Follow State or Most Restrictive Thresholds)	
Fruit Canned Fruit Fruit Cocktails Juice	Breakfast Items Breakfast Bars Granola Bars Instant Grits Instant Oatmeal
Vegetables Canned Vegetables Salsa	Value-added Items Chili Flavored Water Frozen Pizza Sauces (BBQ, Hot sauce) Slushie Mixes Spices or Spice mix Tea, powdered, bags
Meat, Processed Deli Meat, Beef Jerky Egg Whites Sausage, Hot Dogs	Cafeteria supplies Lunch trays Paper Plasticware
Milk, Processed Cheese Flavored Milk Ice Cream Yogurt	Kitchen Equipment Kitchen Supplies Promotional Items
Baked Goods Baked Goods (Bagels and Cookies) Baking Mixes Bread Chips Crackers	

Small Purchase Unprocessed Agricultural Products

Small Purchase Vendor Table



Vendor Name	General Goods and Services Provided	Total Paid to Vendor (at or below \$250,000 or above \$250,000)	# Purchases made from this vendor during SY? (one-time vs. multiple)	Was more than one response received to this solicitation?	Were purchases from a third-party entity?
AAA Pest Control	Pest Control	4,500	12	YES	NO
Noland	Hot Water Heaters	9,750	1	YES	NO
Forestwood Farms	Fruits Vegetables	80,000	205	YES	NO

Steps in Small Purchase Procurement



Solicitation



Evaluation/Award



**Contract
Management**

Solicitation for Small Purchase



Compliant with the requirements for the appropriate threshold



Obtain two or more quotes



Restrict competition



Buy American Clause

Soliciting Restricting Competition

[2 CFR Part 200.319(a)]:

Placing unreasonable requirements on firms to qualify for business
[2 CFR 200.319(a)(1)]

Requiring unnecessary experience and excessive bonding
[2 CFR 200.319(a)(2)]

Specifying only a “brand name” product, not allowing “an equal” product with performance or other relevant requirements
[2 CFR 200.319(a)(6)].

"BUY AMERICAN"

[7 CFR PART 210.21/FNS POLICY MEMO SP 38-2017]



The need for documentation that a request for consideration on the use of domestic alternative foods before approving an exception

- Document the use of a non-domestic food exception when competition reveals the cost of domestic food is significantly higher than non-domestic food
- Document the use of a non-domestic alternative food due to the domestic food not produced or manufactured in sufficient and reasonable available quantities of a satisfactory quality

Evaluation
and
Award
for Small
Purchase

Maintain records that detail the significant history of the procurement

Correct vendor selected based on product/service requested and the vendor's responses provided

Contract
Management
for Small
Purchase



Correct product

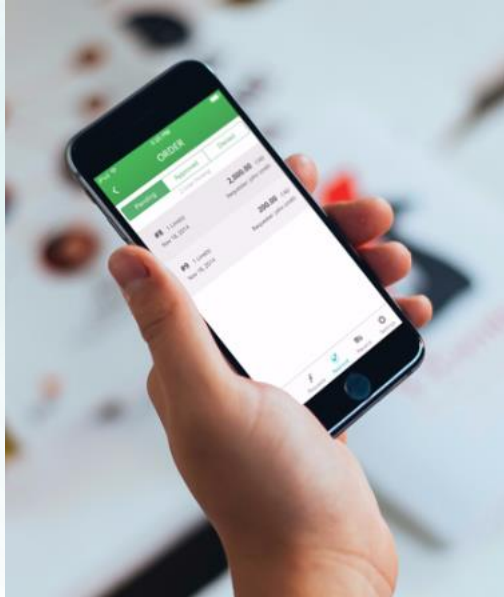


**Correct price
being charged**



Buy American

Formal Procurement



Total value of purchases exceeds \$15,000 for government agencies (or most restrictive) and \$250,000 for nongovernment agencies and unprocessed agricultural products.

If the purchase is below the small purchase threshold, formal procurement may be used.

Formal Bid – Vendor Table

**Formal Contracts: Sealed Bids/Competitive Proposals
(contracts commonly valued above \$250,000 or most restrictive small purchase threshold)**

SFA Instructions: Answer if formal procedures are used by selecting "yes," "no," or "not applicable," then input information below, if used.

Vendor Name	Goods/ Services Provided	Contract Value	Solicitation Type (IFB or RFP)	Contract Type (Fixed Price or Cost Reimbursable)	Contract Duration	Was contract amended after award?
Bimbo Bread	Bread	15,250	IFB	Fixed Price	1 year	Yes
Central Restaurant Supplies	Freezer	13,500	IFB	Fixed Price	1 year	Yes

Formal Contracts



Invitation for Bid (IFB) i.e. Competitive Sealed Bid



Request for Proposal (RFP) i.e. Competitive Proposal



Noncompetitive (Sole Source)

Invitation for Bid

Must result in firm fixed price contract awarded to responsive and responsible bidder lowest in price
200.320(c)

Awards can be by line item, food grouping (lot), or total bottom line for multi-product IFB

IFB can include price escalation clauses

Responsive and Responsible

Responsive

Vendor proves all information required by the solicitation and product or service meets the SFA specifications and requirements.

Responsible

Vendor possesses the ability to perform successfully under the terms and conditions of the procurement.

Request for Proposal

Contract awarded to responsible firm whose proposal is most advantageous to the program, price and other factors considered.

Price must be primary factor, i.e. weighted higher than the other factors.

RFPs must describe the evaluation method, list the evaluations factors and how they will be weighted and scored.

Noncompetitive Procurement

Item only available
from single source

Emergency

Authorized by Food
and Nutrition Service
(FNS) or State Agency

Competition is
determined
inadequate
(one response)

STEPS IN FORMAL PROCUREMENT

- ▶ **General Solicitation Process**
 - ▶ Method meets requirement for threshold
 - ▶ Forecast/Cost Analysis
 - ▶ Solicitation Content
 - ▶ Advertise the Solicitation
- ▶ **Evaluation and Award**
- ▶ **Contract Management**

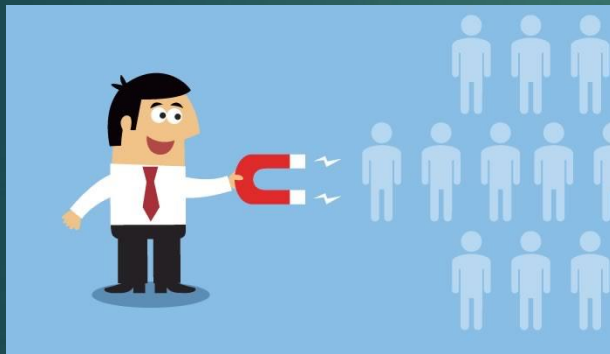


GENERAL SOLICITATION PROCESS

The contract procured in compliance with the requirements for the appropriate threshold. (Federal, State, and Local)
[7 CFR Part 210.19(e)]

Cost/price analysis conducted to estimate the cost of goods or services prior to soliciting. [2 CFR 200.323]

Solicitation Content



- ▶ Identify all specifications, evaluation factors and their relative importance with price as the primary factor.
[2 CFR 200.320(c)(2)(iii) or (d)(1) and July 2005 Procurement Questions]
- ▶ Seek/invite two or more qualified sources willing and able to compete. [2 CFR 200.320(b)]
- ▶ Include the requirement for contract award to the lowest responsive and responsible bidder or bid/offer most advantageous to the program with price and other factors considered.
- ▶ Price must be the primary factor.
[2 CFR Part 200.320(c)(2)(iv) or (d)(4)]

Advertising the Solicitation

Provide adequate time for bidders to respond prior to the bid opening date.

[2 CFR 200.320(c)(2)(i)]

Publicly advertise the solicitation to an adequate number of qualified sources to secure more than one bid/offer.

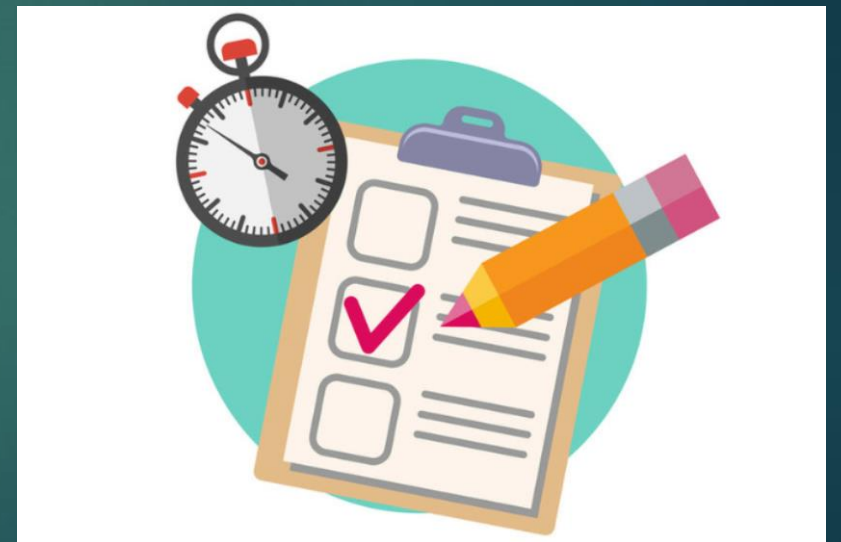
[2 CFR 200.320(c)(2)(ii)]

Solicitation

RFP Technical Evaluation

RFP must have a written method for conducting technical evaluations of proposals to select recipients. [2 CFR 200.320(d)(3)]

- ▶ Respondent addresses the criteria
 - ▶ Criteria is scored
 - ▶ Criteria is weighted
- ▶ Composition and process for panel evaluation



Required Clauses



Termination for cause and for convenience clause included with the manner by which it will be effected and the basis for settlement.
(For contracts in excess of \$10,000 only) [2 CFR 200 Appendix II]

Equal Employment Opportunity (in excess of \$10,000)
[Appendix II to 2 CFR 200]

Contract Work Hours/Safety Standards Act (40 U.S.C. 3701-3708)
(For contracts in excess of \$2,500)

Davis Bacon Act (for construction contracts in excess of \$2,000) [Appendix II to 2 CFR]

Rights to Inventions Made Under a Contract or Agreement (if applicable)
[Appendix II to 2 CFR]

Debarment and Suspension [Executive Orders 12549 and 12689] (All contracts)
[2 CFR Part 200.213 and Appendix II to 2 CFR Part 200 (I)]

Byrd Anti-Lobbying Amendment [31 U.S.C. 1352] (For contracts worth \$100,000 or more)
[Appendix II to 2 CFR Part 200 (j)]

"BUY AMERICAN"

[7 CFR PART 210.21/FNS POLICY MEMO SP 38-2017]



The need for documentation that requests consideration on the use of domestic alternative foods before approving an exception

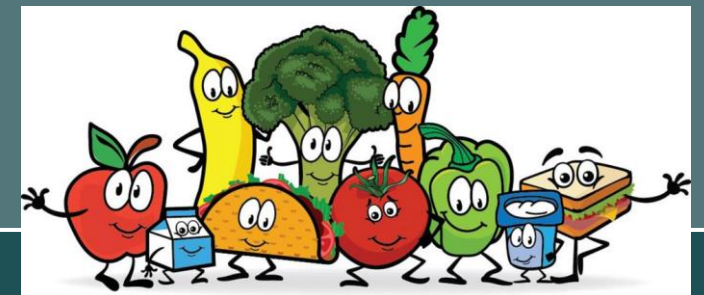
- Document the use of a non-domestic food exception when competition reveals the cost of domestic food is significantly higher than non-domestic food
- Document the use of a non-domestic alternative food due to the domestic food not produced or manufactured in sufficient and reasonable available quantities of a satisfactory quality

EVALUATION AND AWARD - IFB ONLY

All bids must be opened at the time and place prescribed.
[2 CFR 200.320(c)(2)(iii)]

A firm, fixed-price contract must be awarded to the lowest responsive and responsible bidder.
[2 CFR 200.320(c)(2)(iv)]

All bids must be sealed prior to the bid opening.
[2 CFR 200.320(c)(2)(iii)]



EVALUATION AND AWARD

(Invitation for Bids and/or Requests for Proposals)

Bids/offers evaluated and awarded as published in the solicitation.

[2 CFR 200.320(c)/2 CFR 200.320(d)(4)]

The SFA eliminated overly responsive portion bid/offer or the overly responsive portion, when awarding the contract. (SP12-2016)

The SFA evaluated any unallowable cost items included in the awarded contract.

[Appendix II to 2 CFR 200]

For geographic preference option, the SFA must evaluate/score for award correctly and as published. [SP18-2011, Procurement Geographic Preference Q&As and SP03-2012, Procurement Geographic Preference Q&As Part II]

If any bids/offers were rejected, the SFA must have a sound reason and properly document the reason. [2 CFR 200.320(c)(2)(v)]

The SFA must maintain records sufficient to detail the significant history of the procurement.

[2 CFR 200.318(i)]

CONTRACT MANAGEMENT PROCESS



The SFA must provide sufficient oversight of the procurement to ensure contractors performed in accordance with the terms, conditions, and specifications of their contracts. [2 CFR Part 200.318(b)]

If geographic preference was used, the SFA must evaluate vendor compliance. [7 CFR Part 210.21(g)]



Solicitation

IFBs and RFPs Piggybacks

If the SFA 'piggybacked' onto an existing contract of another SFA/cooperative (joined after the original contract was awarded), the SFA must be compliant with ensuring the solicitation and contract included language for the addition of parties and specified applicable limits (e.g., dollar value/number of additional parties). (SP05-2017, Q&A Purchasing Goods and Services Using Cooperative Agreements, Agents, and Third-Party Service, October 19, 2016).

When the SFA 'piggybacked', the SFA must be compliant with making a determination of a material change made when parties are added to the contract.

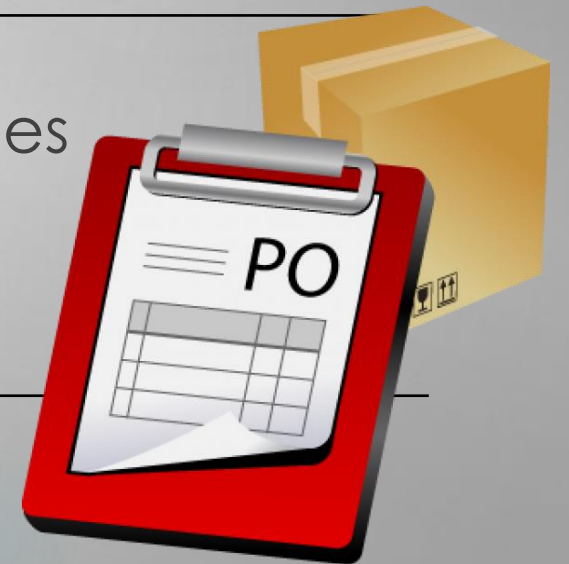
NOTE: A material change occurs if bidders/responders had knowledge of the contract change (addition of parties, increased scope, etc.). Would bidders/responders have responded differently?

Solicitation

IFBs and RFPs Agents

If the SFA uses an agent, the SFA must be compliant with procuring the agent services using the applicable procurement standards in 7 CFR 210.21 and 2 CFR 200.320.

The SFA must be compliant with ensuring the agent complies with the Program and government-wide regulations in 7 CFR 210.21 and 2 CFR 200.318-326 as the SFA agent.



Solicitation IFBs and RFPs Agents

- ▶ If the SFA purchases using a third-party entity, the SFA must be compliant with using the third party's pricing as one source when soliciting price/rate quotes. [2 CFR 200.320(b) and SP05-2017, Q&A Purchasing Goods and Services Using Cooperative Agreements, Agents, and Third-Party Service, dated October 19, 2016]

Food Service Management Company (FSMC) Vendor Table

Goods Provided	Contract Value	Procurement Type	Contract Duration	Did the SFA receive more than one response to its solicitation?	Was this vendor/contract obtained through a CN Coop/Agent/Third-Party Entity?	Were any amendments made to the original contract after it was awarded?



Food Service Management Company Contracts

- ▶ **Contracts must be approved by the State Agency.**
- ▶ **If a contract is amended, did the amendment materially change the contract? If so, the contract must be rebid.**
- ▶ **Contracts must not include unallowable costs.**



Food Service Management Company Contracts

The SFA retains signature authority of agreement, free/reduced policy, and claims. [7 CFR 210.16(a)(5)]

The SFA must be approval official for the free/reduced eligibility applications, direct certification process, benefits issuance list, submission of claims for reimbursement, and verification requirements.

The SFA must retain control of meal quality, extent, general nature of food service, and meal prices. [7 CFR 210.16(a)(4)]

Board minutes must document price changes approved by Board.



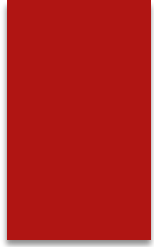
Food Service Management Company Contracts

The SFA must establish an advisory board composed of parents, teachers, and students to assist in menu planning.

The SFA must monitor the FSMC through periodic onsite monitoring.

The SFA must assure that the FSMC complied with all health inspection regulations as required under the contract.

The SFA must ensure it received credit for the full value of USDA commodities.



Processor Name	Goods Provided	Contract Value	Procurement Type	Contract Duration	Did the SFA receive more than one response to its solicitation?	Was this vendor/contract obtained through a CN Coop/Agent/Third-Party Entity?	Were any amendments made to the original contract after it was awarded?



Processing Contracts



Processing USDA or other foods into an end-product

Must follow small purchase or formal purchasing procedures

Must be a fixed price or a cost reimbursement contract

Processing Contracts



Must include a provision in bid/response for food recall procedures.



Must have contact information for a point of contact or backup person for handling food recalls.



The solicitation must include the value pass thru method to be used.

Processing Contracts Value Pass Thru Methods

Rebate – The SFA purchases products at the distributor price and provides a copy of invoices to the manufacturer of products sold to recipient agencies. Once the invoice is processed, the manufacturer sends a refund check to the SFA.

Net-off Invoice – The distributor sells the processed product “net” of the value of the USDA Foods portion. The distributor reports the sales to the manufacturer and the manufacturer sends a refund to the distributor.

Direct Discount – The processor sells finished end-product directly to the SFA at a discount from the commercial price based on the value of the USDA Foods contained in the end-product.

Market Basket Analysis for Evaluation of Contract Award SFA Instructions:		Not Applicable	
Vendor Name	General Goods/Services Provided	Total Paid to 3rd Party/Vendor	Group Purchasing Entity Type (All CN, Agent, 3rd Party)

Market Basket Analysis Vendor Table



Market Basket Analysis

- ▶ If using a market basket analysis, the SFA must be compliant with including language in the solicitation and contract to:
 - ▶ Evaluate bids/proposals using this analysis;
 - ▶ State the representative list of goods (recommended at 75% or more of the total estimated value of goods to be purchased);
 - ▶ Provide a clear and accurate descriptions;
 - ▶ Estimate quantities for evaluation; and
 - ▶ List goods to be purchased.

[2 CFR 200.319(c)(1) and FD144, SP04 Market Basket Analysis..., January 18, 2018]



Market Basket Analysis

- ▶ When adding goods to a contract, the SFA must be compliant with limiting the total value of additional goods:
 - ▶ Recommended as less than 10% of the estimated value of the initial contract award.
- ▶ The option to add goods after award must be included in the initial solicitation and contract and in the renewal contract award.
 - ▶ The renewal contract award establishes a new basis value for contract award including the actual value of expenditures against the award plus the value of the additional goods.



General Procurement Procedures

Procurement Procedures

- ▶ The SFA/LEA must have documented procurement procedures as prescribed in 2 CFR 200.

Written Code of Conduct

- ▶ The SFA must have a written Code of Conduct that:
 - ▶ Prohibits officers, employees and agents the acceptance of gratuities or favors from contractors
 - ▶ Provides for disciplinary actions for violations
 - ▶ Includes language that the SFA will neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, or language with standards for situations when the financial interest is not substantial or the gift is unsolicited and of nominal value

[2 CFR 200.318(c)(1)]

General Procurement Practices

- ▶ **The SFA/LEA must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. [2 CFR 200.323(a)]**
- ▶
- ▶ **The SFA/LEA must take steps to assure that small, minority and women's businesses enterprises and labor surplus firms are used when possible. [2 CFR 200.321]**

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- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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