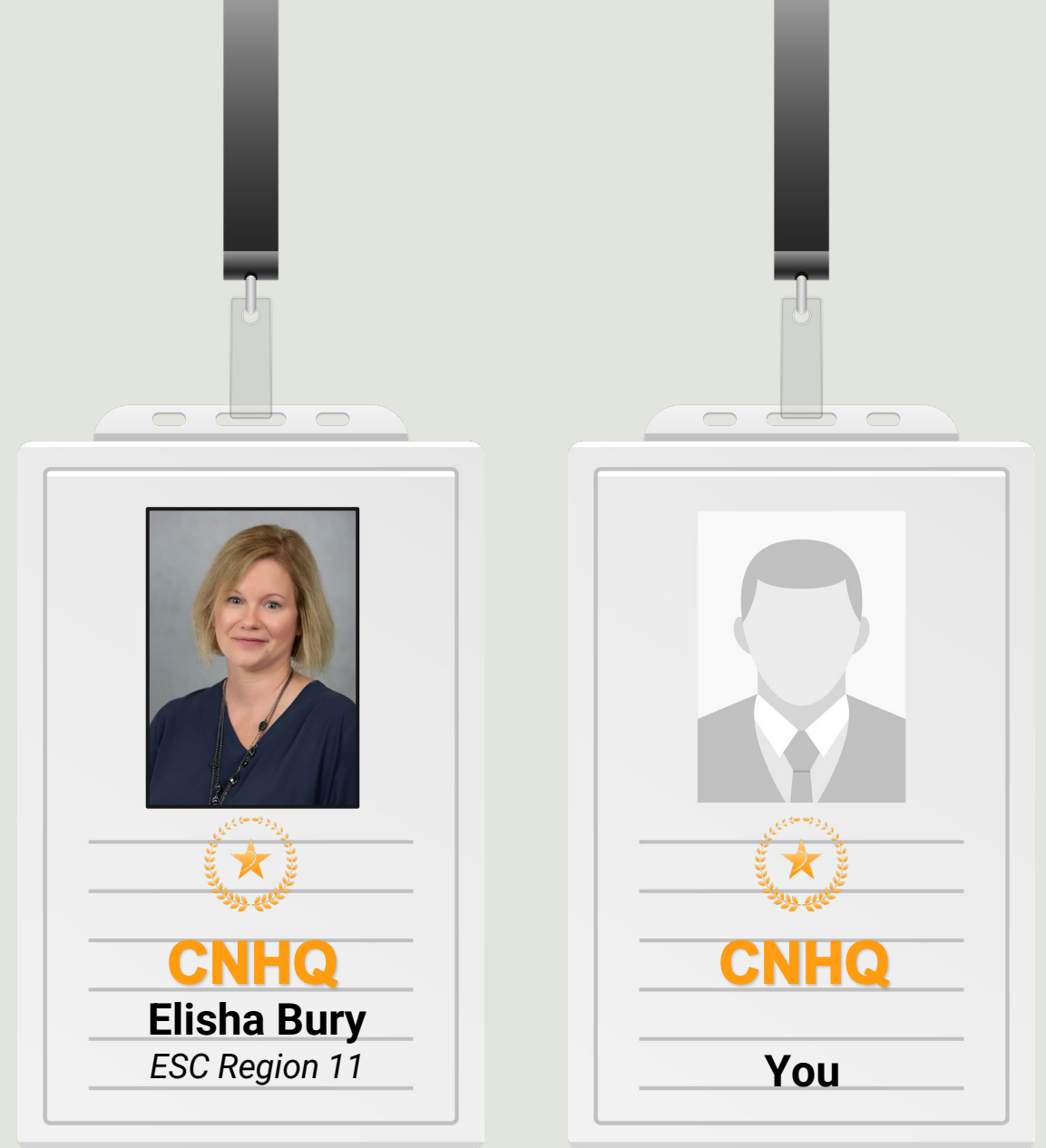


NEED A PROCUREMENT LIFT?

How to Get to the Top Floor of
Child Nutrition Procurement



YOUR PR AGENTS



CNHQ

Heather Morris

ESC Region 11



CNHQ

Elisha Bury

ESC Region 11



CNHQ

Wendy Pyne

ESC Region 11

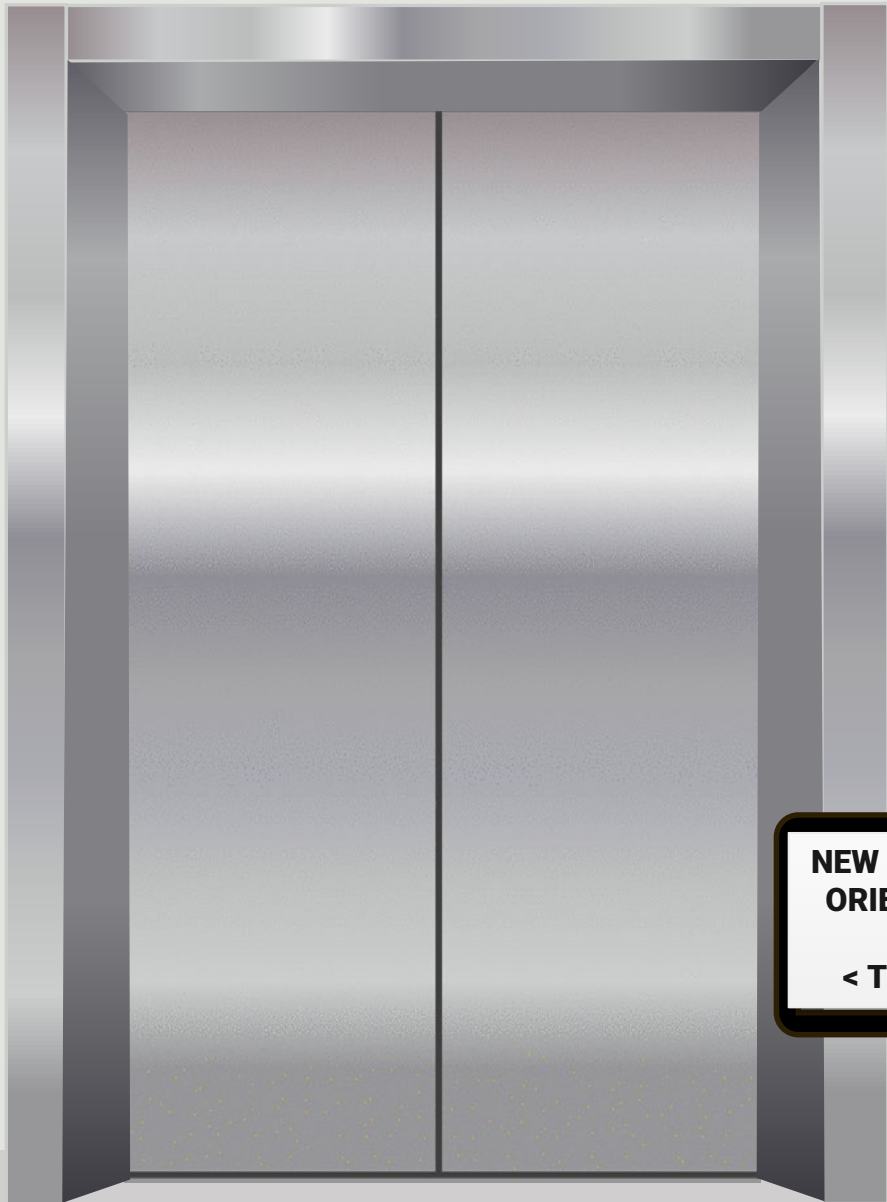


CNHQ

Tamika Figs

ESC Region 11

10 ↓



**NEW EMPLOYEE
ORIENTATION
< THIS WAY**



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ACKNOWLEDGEMENT

2 GUIDING PRINCIPLES

2.1 INTEGRITY
2.2 FULL & OPEN COMPETITION

3 PROCEDURES

3.1 EDGAR
3.2 POLICIES & PROCEDURES

4 INFORMAL PROCUREMENT

4.1 MICRO-PURCHASE
4.2 SMALL PURCHASE METHOD

5 SPECIAL PURCHASES

5.1 SOLE SOURCE
5.2 EMERGENCY PROCUREMENT

6 FORMAL PROCUREMENT

6.1 FORMAL
6.2 CO-OPS & GPOS

7 C.E.R.

7.1 CAPITAL EXPENDITURE REQUEST
7.2 TX-UNPS

8 SCENARIOS

9 PROCUREMENT REVIEW

10 KNOWLEDGE CHECK & RESOURCES

DISCLAIMER

You understand and acknowledge that

- the training you are about to receive does not cover the entire scope of the program and that
- you are responsible for knowing and understanding all handbooks, manuals, alerts, notices, and guidance, as well as any other forms of communication that provide further guidance, clarification, or instruction on operating the program.



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GUIDING PRINCIPLES

2.1
INTEGRITY

2.2
F & O
COMPETITION

CRIME SCENE DO NOT CROSS

CRIME SCENE DO NOT CROSS

2
FLOOR

INTEGRITY

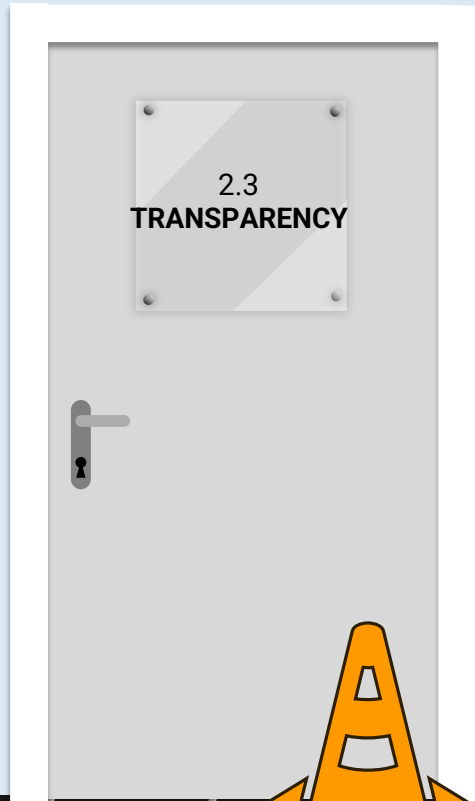
An organized and structurally sound financial management system that promotes program efficiency and prevents the inappropriate use of program funds



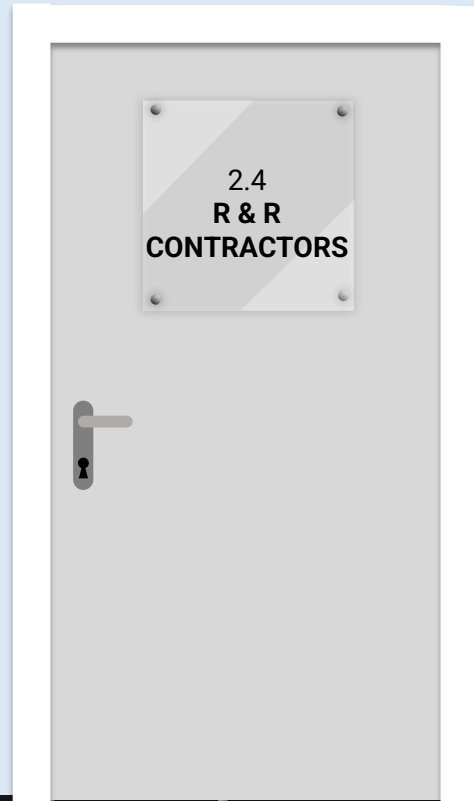
FULL & OPEN COMPETITION

- All potential contractors compete on a level playing field and have the same opportunity to compete and be awarded a contract
- Ensures CE gets the best quality product for the best possible price
- Do not restrict competition





2.3
TRANSPARENCY



2.4
R & R
CONTRACTORS

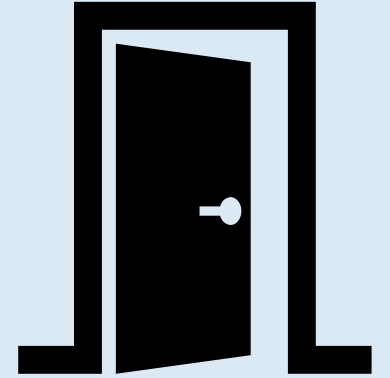


2
FLOOR



TRANSPARENCY

- Open Records Policy/Public Information Act (Texas Government Code, Chapter 552)
- All information or site visits to potential contractors must be shared to ALL



RESPONSIVE & RESPONSIBLE

- **Responsive:** Vendor conforms to all stated terms and conditions
- **Responsible:** Vendor must be able to perform successfully under the terms and conditions of the contract

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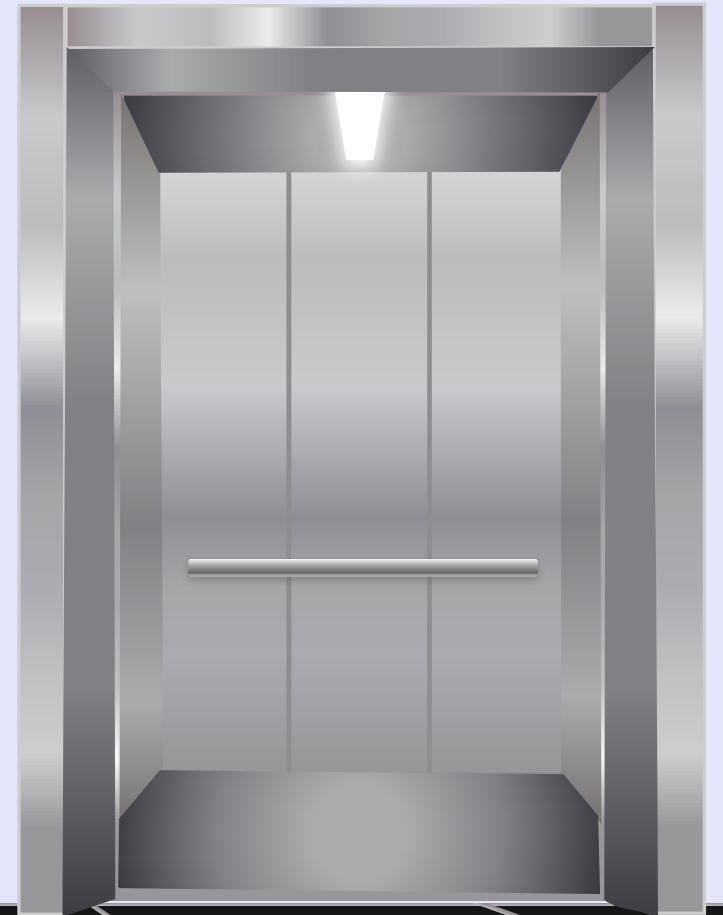
PROCEDURES

3.1
EDGAR



3.2
POLICIES &
PROCEDURES

3
FLOOR



EDGAR



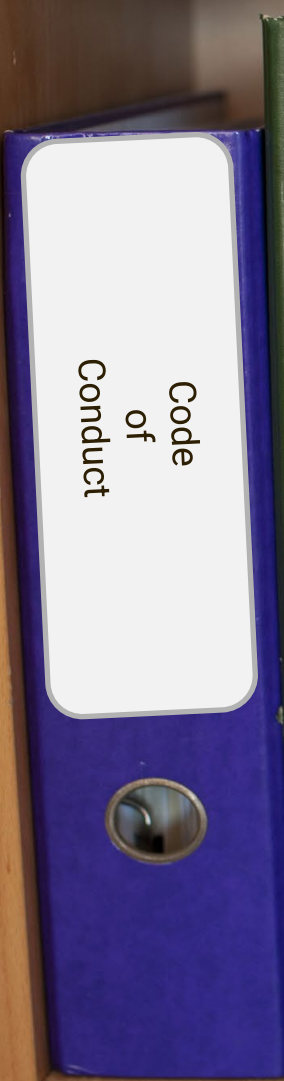
- **Who is EDGAR?** The Education Department of General Administrative Regulations
- Federal regulations that govern all federal grants awarded by the U.S. Department of Education
- Does not include all elements of USDA purchasing guidelines
- **Warning:** Be careful when purchasing off district bids





PROCUREMENT PROCEDURES

- CEs must use create and use written procurement procedures specifically for Child Nutrition to guide them in selecting the appropriate procurement method
- Check with purchasing department
- Pull procedure directly from ARM section 17a



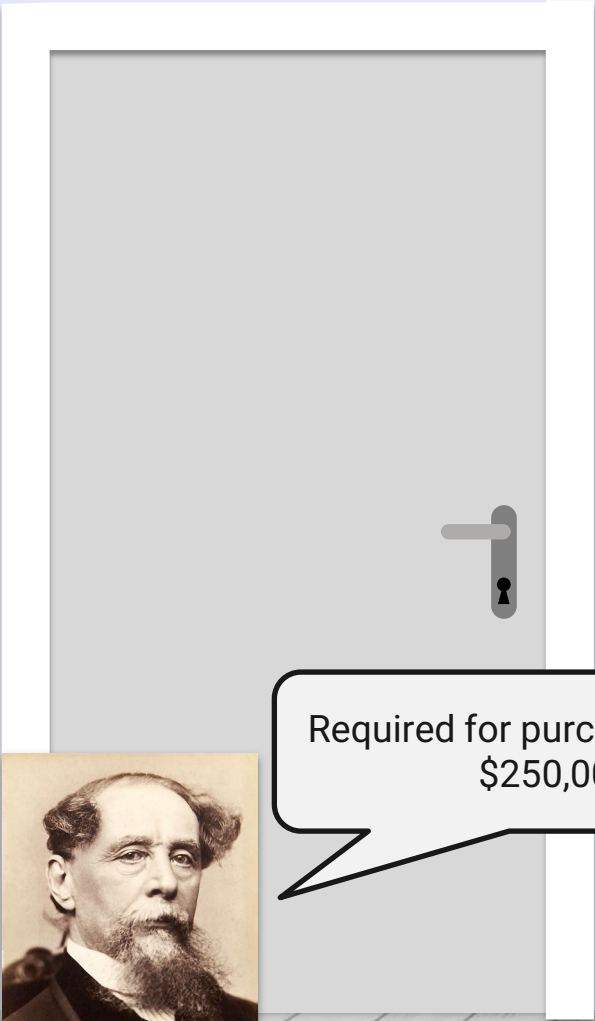
CODE OF CONDUCT

Set of written standards that outline the responsibilities and proper practices

1. Conflict of interest
2. Gifts and favors
3. Disciplinary action

COST-PRICE ANALYSIS

- First step in the procurement process
- Evaluate needs and cost estimates to determine procurement method
- Required for purchases above \$50,000
- Keep documentation



Required for purchases above
\$250,000



**Past
purchases &
trends**


**Enrollment,
storage,
velocity reports**

FORECASTING



PROCUREMENT PROCEDURES

- Defined roles & responsibilities
- Internal controls related to the procurement process, code of conduct, and full and open competition
- Outline informal and formal procurement methods
- Outline the selection, award, and administration of procurement transactions
- Ensure compliance with the most restrictive laws and/or regulations
- Buy American Provision
- Application of conditions when using a co-op
- Written procedures for managing contracts
- Define “local” – as long as it does not restrict competition
- Maintenance of records
- Duplication of goods or services
- Cost analysis
- Material change, termination, dispute resolution

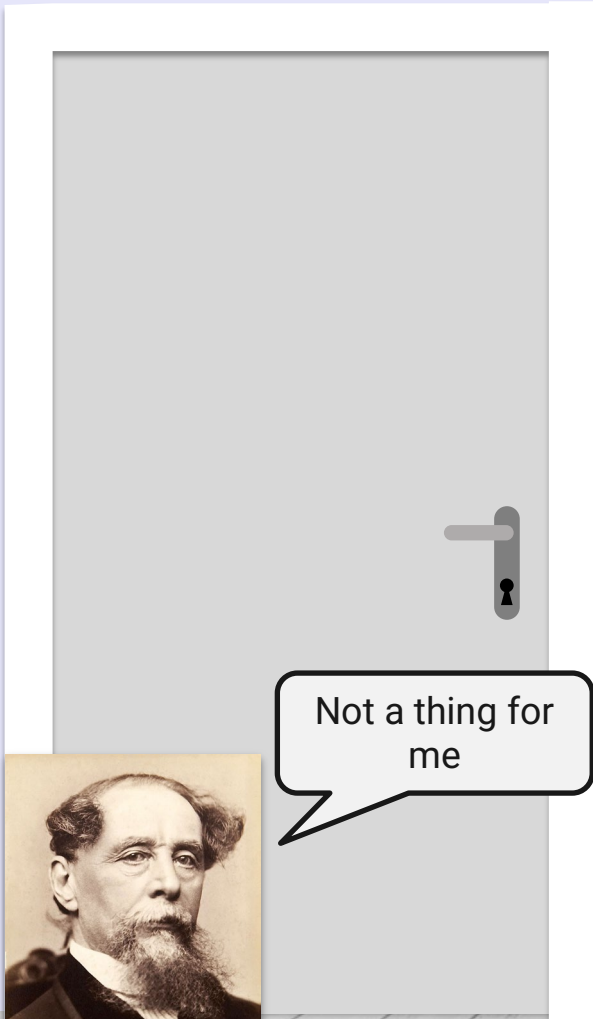


No geographic preference may be given



BUY AMERICAN

- The Buy American provision applies to all **food purchases** made with School Nutrition Program (SNP) funds
- Food products grown domestically, i.e., United States and its territories: Guam, American Samoa, Virgin Island, Puerto Rico, and the Northern Marian Islands
- Processed food products with more than 51% of the final product consisting of agricultural foods that were grown domestically and processed into final end products in the United States



Not a thing for me



TOP FINDINGS

- No documented procurement procedures
- No written codes of conduct that include prohibiting real or apparent conflicts of interest for employees engaged in selection, award, and administration of contracts



I heard it's so easy!

HAVE YOU HEARD OF INFORMAL PROCUREMENT?



I wish these people would just go to the 4th floor...



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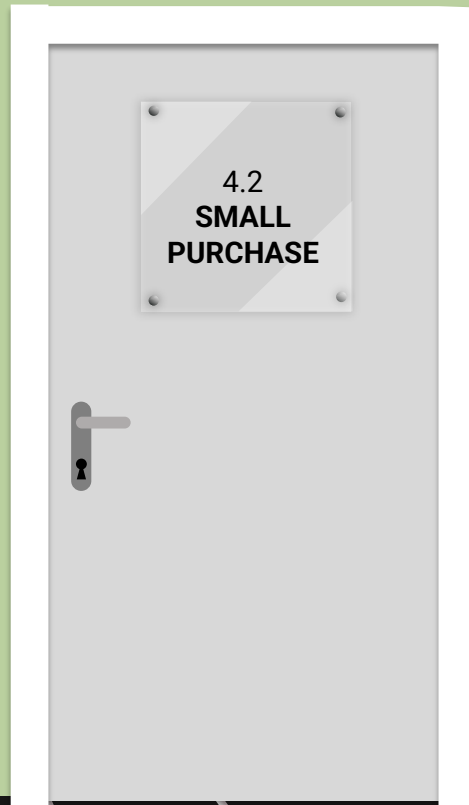
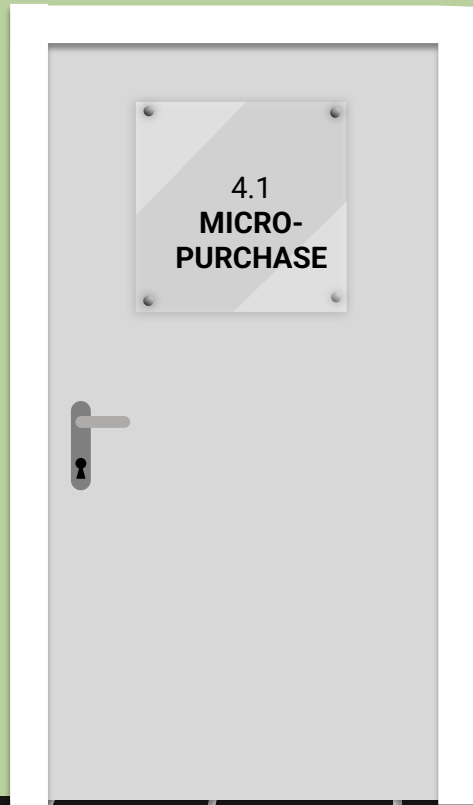
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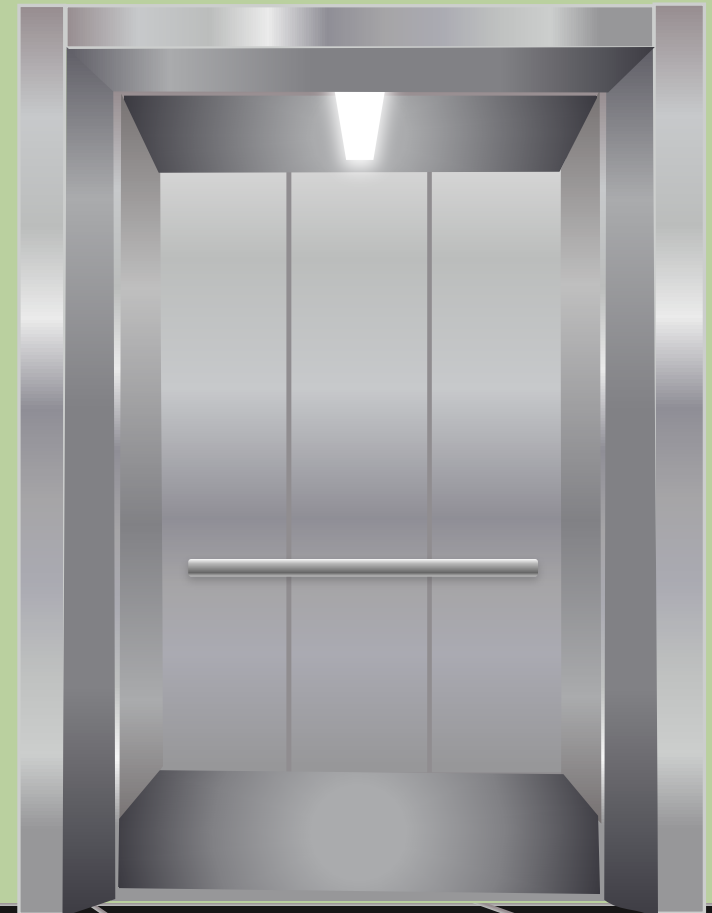
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INFORMAL PROCUREMENT



4
FLOOR



MICRO-PURCHASE

Intended purpose: minimize the burden for purchases of very small amounts

- Single purchases less than \$10,000 or aggregate limit of similar purchases must be under \$10,000

Examples of Micro-Purchases

- Office supplies: paper, pens, staples
- Local produce: apples, cucumbers, tomatoes, onions
- Special event catering supplies: retirement party supplies
- Some equipment repair

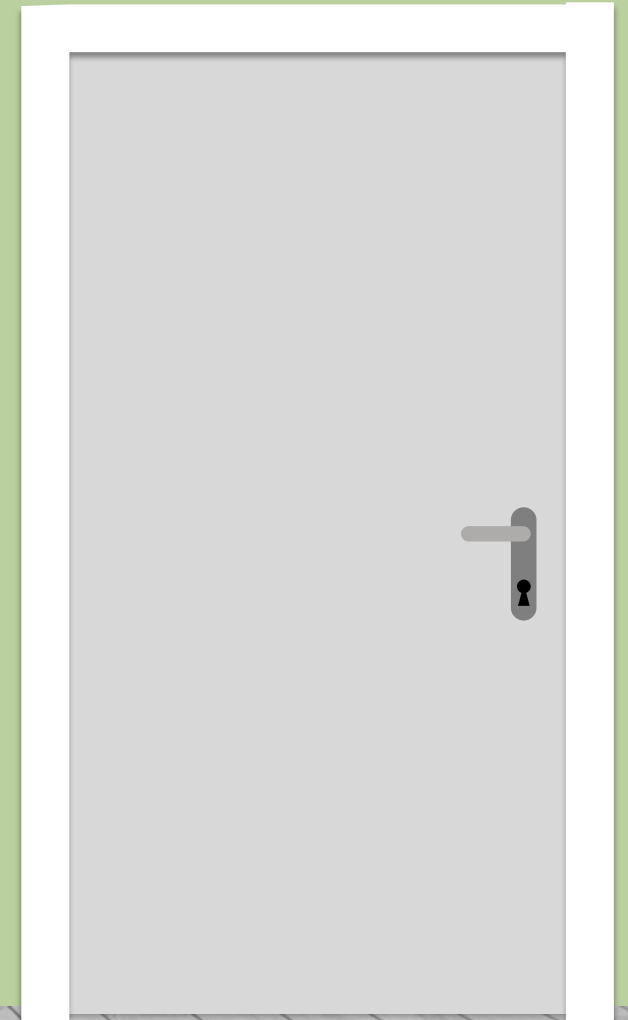
**NO WRITTEN PRICE QUOTE IS REQUIRED
MUST DISTRIBUTE PURCHASES EQUITABLY!**

\$10,000*
annually for like
items



*TEA MICRO-PURCHASE THRESHOLD

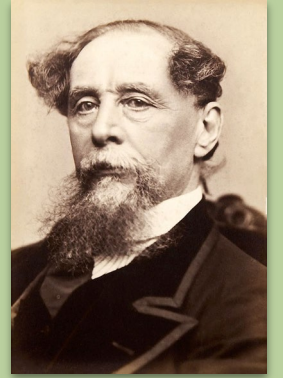
- In 2020, TEA began allowing districts to self-certify a higher micro-purchase threshold of up to \$50,000
- For SY22-23, \$10,000 micro-purchase threshold remains in effect for all USDA purchases
- Starting in SY23-24, CEs may opt to self-certify a threshold up to \$49,999



AGGREGATE



EDGAR VS. USDA: AGGREGATE



USDA

The aggregate purchase amount is the total cost of all products and services in a single or repeated procurement transaction.

EDGAR

The aggregate is calculated across all federal education grants and across the school district's fiscal year for each like-type category of purchase. When the aggregate for purchases in a like-type category exceeds the \$10,000 threshold, the district must begin obtaining price quotes under the small purchase method.

THINGS TO CONSIDER



Purchases cannot be intentionally separated if the only justification for separate purchases is to use the micro-purchase method and avoid a more rigorous procurement method



While use of the micro-purchase method may be allowed for a particular purchase, it may not result in the best purchase price



The micro-purchase method may be used when there is only one source located within a reasonable driving distance

MICRO-PURCHASE STEPS

01

Determine a reasonable price for the items to be purchased

Complete cost analysis

02

Ensure the total purchase is below \$10,000

03

Look for qualified sources for the purchase

Keep a list of sources for future purchases

04

Rotate purchases equitably among suppliers

05

Maintain invoices or receipts to document the purchases

BUZZ WORD: COST ANALYSIS



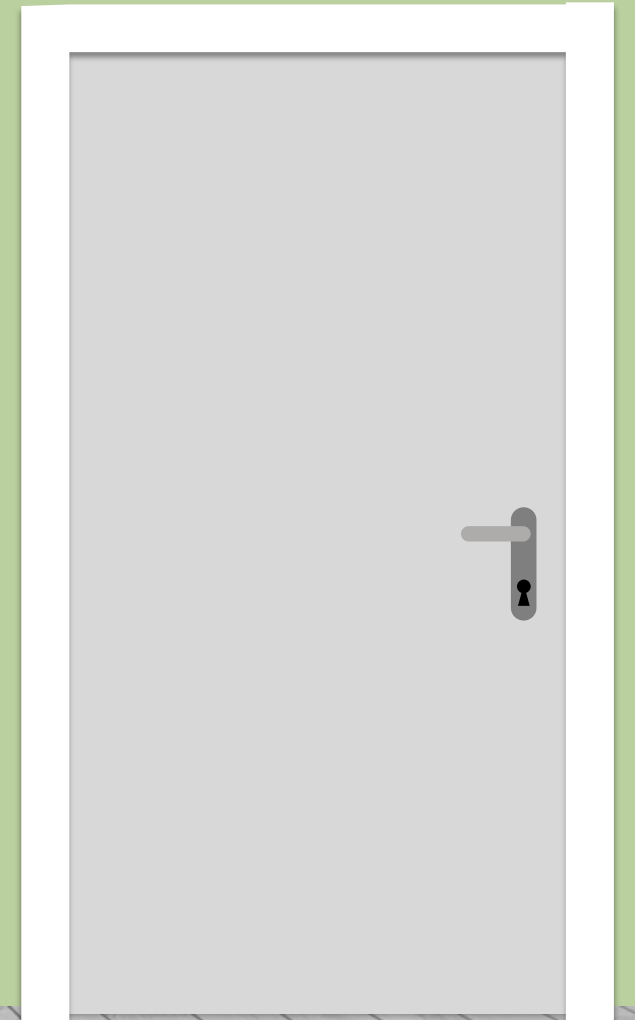
CAN EQUIPMENT REPAIRS BE CONSIDERED MICRO-PURCHASES?

YES

- Unforeseen repairs or maintenance of equipment outside of warranty period and/or not covered by the contract
- Under micro-purchase threshold
- **HOWEVER:** CN Director must forecast that pieces of equipment will need a projected amount of repairs or maintenance during a year and determine if a contract can be executed for a year's worth of repairs at a more economical price than a separate transaction for each repair

TOP FINDINGS: MICRO-PURCHASE

- CEs did not spread purchases equitably among all qualified sources
- CES did not ensure each transaction with its vendor was below the micro-purchase threshold
- CEs made 30+ purchases with a single vendor and no purchases with any similar vendors
- CEs exceeded the micro-purchase threshold



TOP FINDINGS: MICRO-PURCHASE

Suggested Steps to Take:

- Develop a process to ensure purchase thresholds are not exceeded
- Review planned micro-purchases to ensure they are distributed equally among all qualified sources
- Use a micro-purchase log

Texas Department of Agriculture
Form 1 Procurement / Micro-Purchase
December 17, 2019

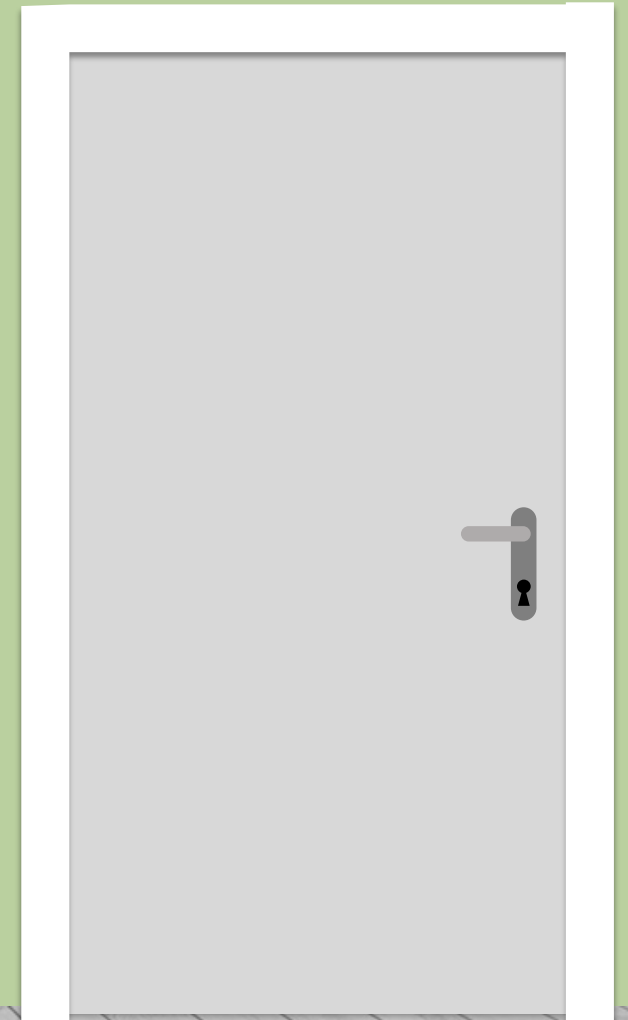
Micro-Purchase Log
(Use this form for purchases with a total aggregate cost of equal to or less than \$10,000 (effective January 1, 2019) when the micro-purchase option is the method of procurement.)

CE Name: _____ CE ID: _____ Procurement Year: _____

Date of Purchase	Contractor/Supplier Name, Address	Product(s) and/or Services Purchased (Quantity • Description)	Unit Price for Each Item	Total Aggregate Cost	Rationale for Using Micro-Purchase & Method Used to Determine That Cost of Each Item is Reasonable (Attach Support Documentation)

Signature of Person Completing This Form: _____ Date: _____

Page 1 of 3



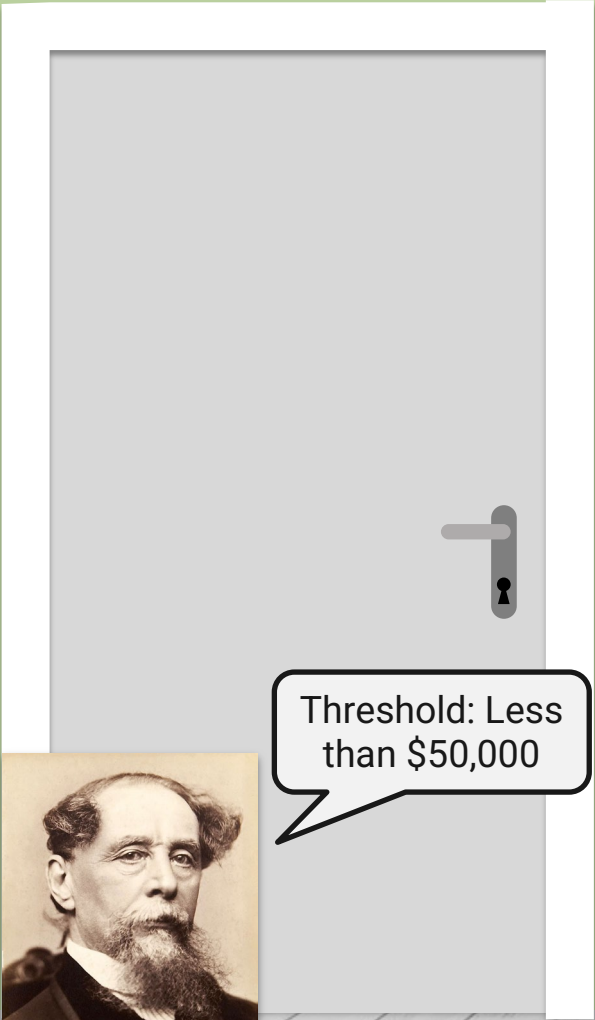
SMALL PURCHASE METHOD

- LESS THAN \$50,000
- Sometimes referred to as “3 Bids and a Buy”
- CE cannot intentionally break larger purchases into smaller amounts to qualify for the small method

Examples of Small Purchases:

- Services: equipment repair, pest control, laundry/linen
- Supplies: cleaning, paper, office
- Small equipment

JUST BECAUSE YOU SPENT LESS THAN \$50,000 DOES NOT MEAN IT'S A SMALL PURCHASE OR THAT YOU SHOULD HAVE USED THE SMALL PURCHASE METHOD



Threshold: Less than \$50,000



QUOTES

- CE must obtain price quotes from at least 3 responsible and responsive contractors
- Quotes can be received via email, phone, in person, and letter
- Best practice to obtain quotes from not only different vendors but also different cooperatives
- Only 1 quote allowed from non-USDA compliant bid
- Quotes received orally should be confirmed in writing identifying the pertinent details of the transaction – or recorded on a log/in notes
- Prepare a script



SMALL PURCHASE STEPS

01

Develop specification

Include quantity needed, date by which the purchase must be provided, and other factors that will be included in the decision to purchase

02

Identify an adequate number of potential suppliers to solicit and contact them directly via email, phone, and letter or in person

03

Provide specifications for the products to potential suppliers requesting a quote be returned by a specified date

04

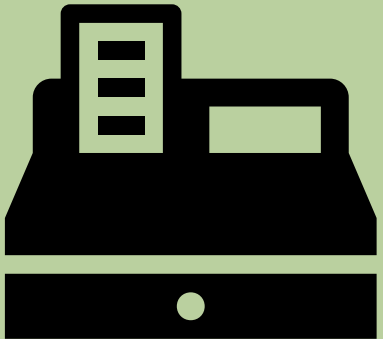
Award the purchase to the most responsive and responsible supplier based solely on price

05

Maintain all documentation, including quotes from suppliers that were not awarded the purchase, for a period of 3 years + the current fiscal year

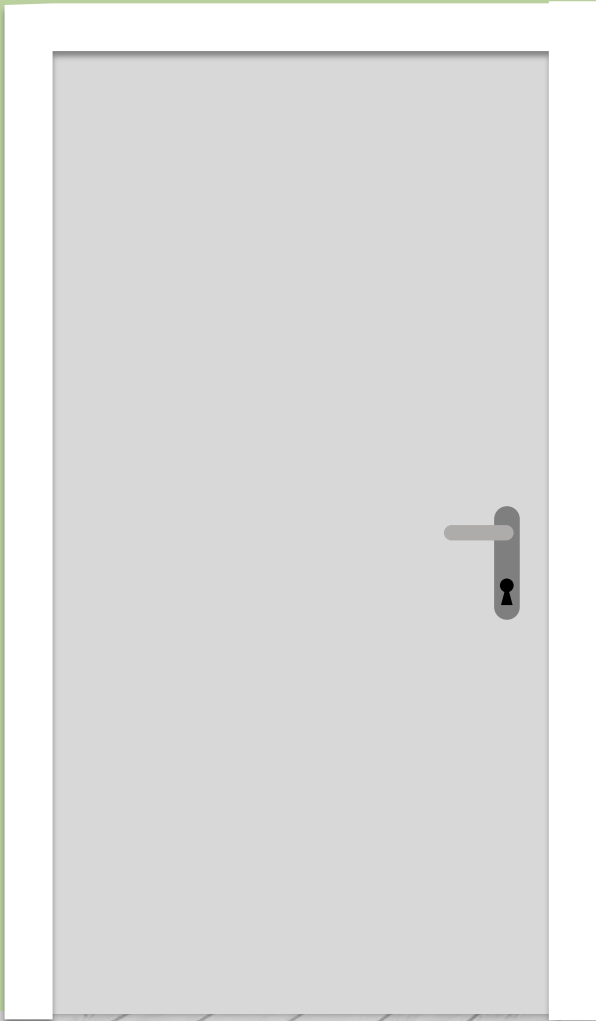
THINGS TO CONSIDER

- Small purchase procedures may not result in a lower price than a more rigorous purchase method
- Written procurement procedures should clearly describe how the CE will document solicitations for small purchase
- Only award purchases to
 - Responsive bidders that submit quotes conforming to all specification
 - Responsible bidders that can perform successfully under the terms of the purchase
- Communicate with the supplier throughout the purchase, monitor delivery of the product/service, and make the supplier aware of any issues as they occur



TOP FINDINGS: SMALL PURCHASE

- CEs did not collect quotes, provide specifications to vendors, or obtain vendor responses for this purchase or from adequate number of vendors
- CEs had no documented procurement procedures, cost analysis, forecasting, or contract management to evidence the CE attempted to follow the requirements for small purchases



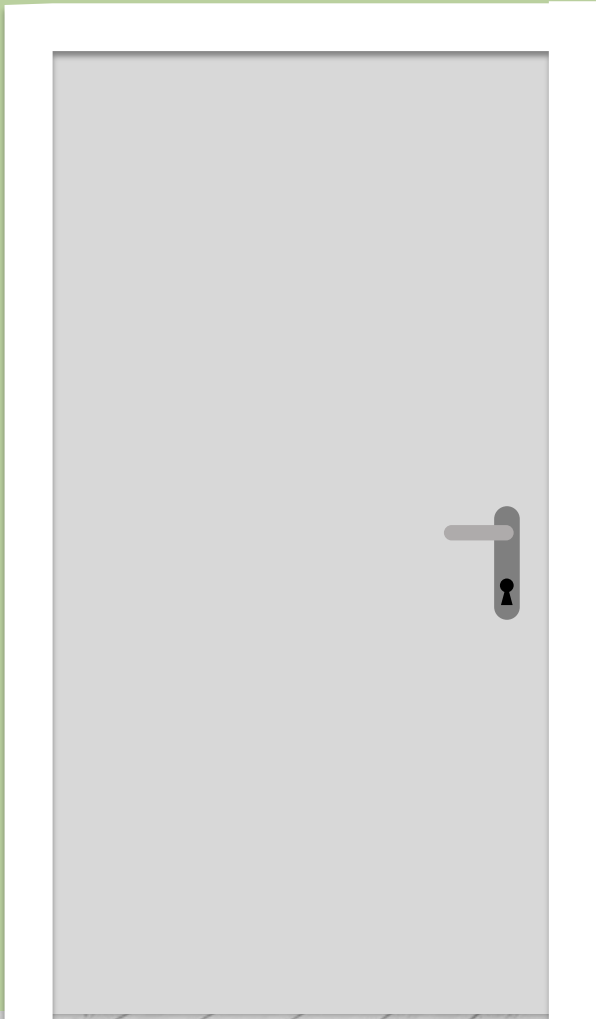
TOP FINDINGS: SMALL PURCHASE

TDA Could Take the Following Actions:

- Require Corrective Action for non-compliance
- Require a return of funds to the nonprofit food service account for unallowable expenses

Suggested Steps to Take:

- Develop a process to review thresholds and ensure all requirements are met for the appropriate threshold before solicitation or purchase
- Develop a system
- Use a small purchase log



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SOLE
SOURCE

5.2
EMERGENCY

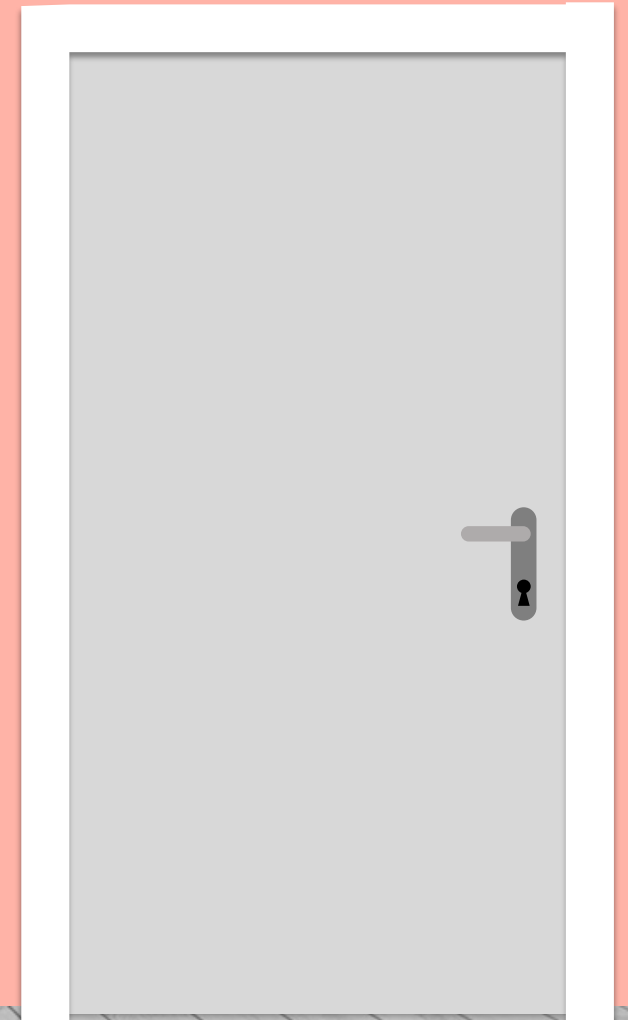
5
FLOOR

SOLE SOURCE

**Must be the
only source**

**Must have
TDA
approval**

**Jotform;
keep
documents**



EMERGENCY PROCUREMENT

A public emergency forces a need for immediate purchases that cannot be delayed to allow the time required for a full competitive solicitation for products and/or services



STEPS OF EMERGENCY PROCUREMENT



1

An actual emergency – will hinder food production

2

Must get TDA approval – prior to or after purchase

3

Jotform

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FORMAL
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CO-OPS
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GPO

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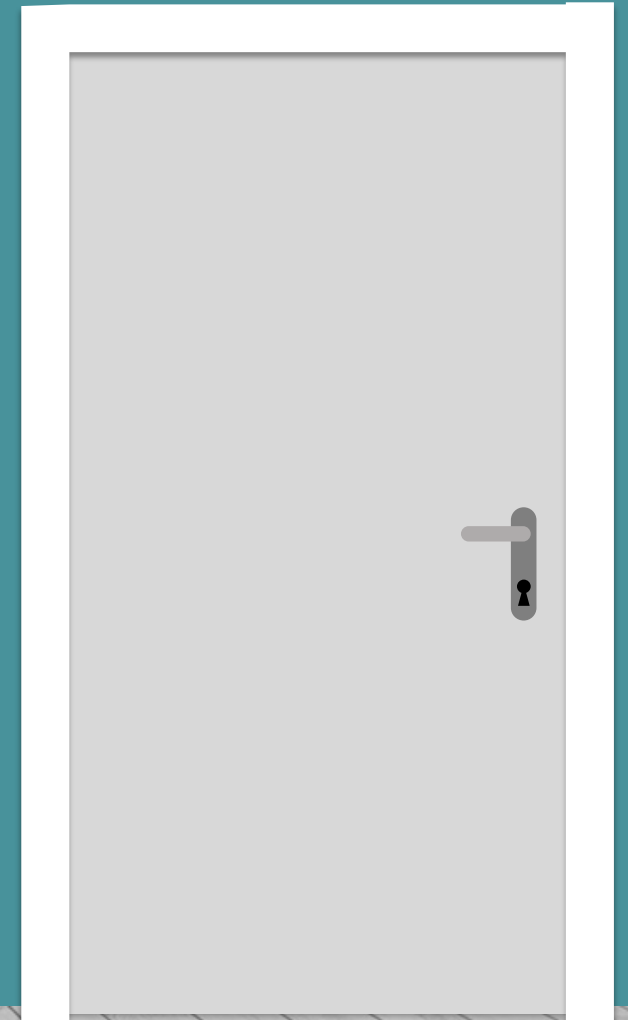


FORMAL PROCUREMENT

- **COMPETITIVE SEALED BIDS (IFB)**

- **COMPETITIVE PROPOSALS (RFP)**

- **GREATER THAN \$50,000**



IFB VS RFP

Invitation for Bid

- Competitive sealed bid
- Primary consideration cost
- Used when there is no substantive difference among the products or services that meet specifications and the key difference among responsive bids is price



I only require sealed bids if the total is equal to or greater than \$250,000

Request for Proposal

- Solicitation document used for the formal procurement method of competitive proposals
- Negotiable
- Used when price, while still the major consideration, is only one of the criteria considerations among bids for products or services that meet specifications

RFP EVALUATION CRITERIA

- Price/cost (primary consideration)
- Responsiveness to specifications and technical requirements
- Demonstration of responsibility (experience, reference letters, financial condition/stability, business practices)
- Accounting and reporting systems, as applicable

I look at these criteria (no primary consideration of price):

- Purchase price
- Reputation of vendor
- Quality of goods/services
- Extent goods/services meet need
- Past relationship with district
- Historically underutilized businesses
- Total long-term cost
- Any other relevant factors like response time or compatibility



BASIC CONTRACT ELEMENTS

Contract duration

Identification of the contract's parties

Scope of work

Required compliance certifications and sanctions

Recordkeeping requirements

Laws and Regulations that govern the contract

Product specifications

Type of contract

Renewal options

Clear methodology for tracking costs

Any sanitation and licensing requirements

Professional certification requirements or minimum levels of experience or education

Modification and change procedures

Default and breach provisions, remedies, penalties

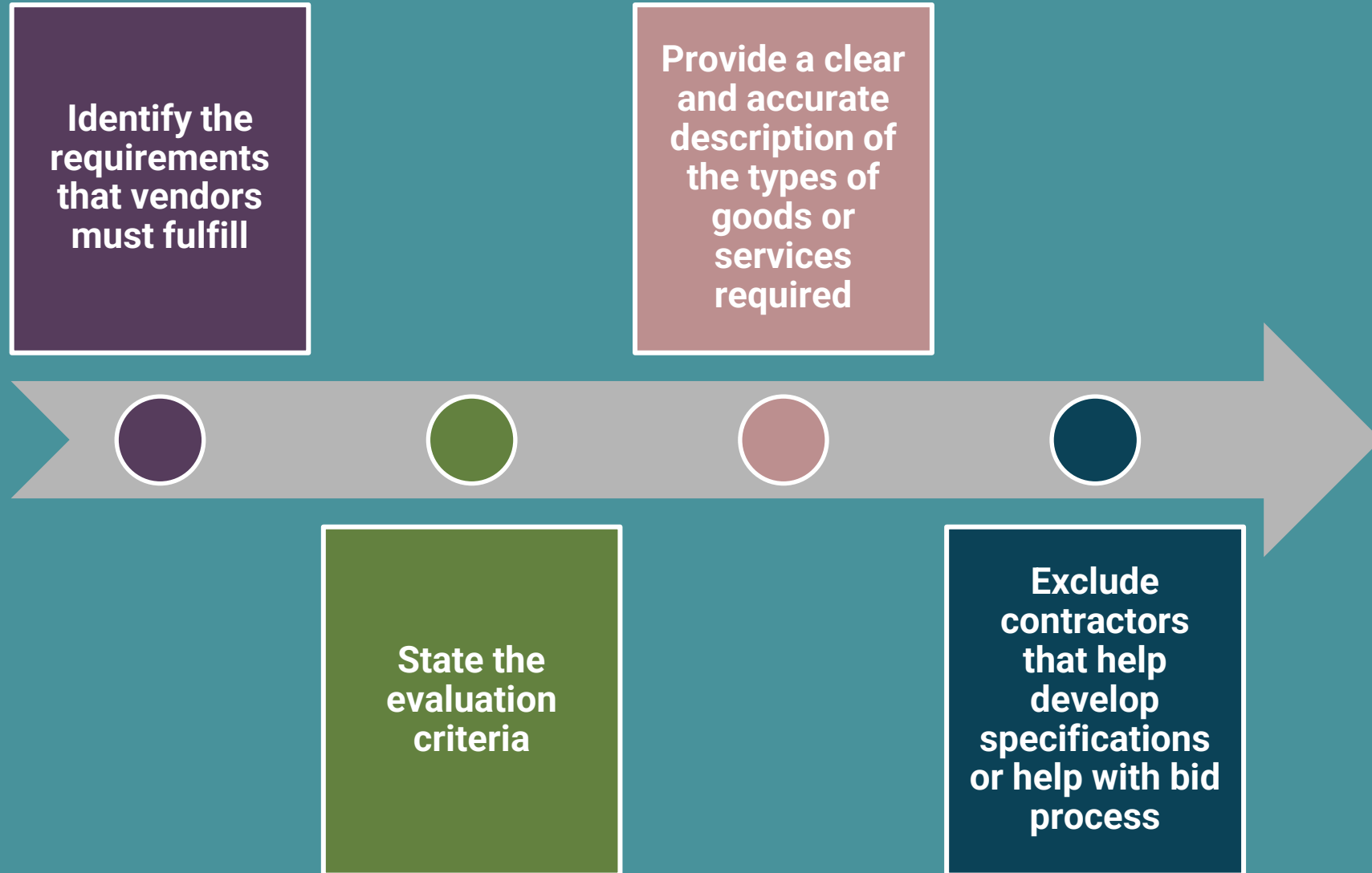
Termination rights

In cost reimbursable contracts, ensure that all costs are net of all discounts, rebates, and credits

FORMAL PROCUREMENT STEPS



STEP 1: DEVELOP SPECIFICATION



STEP 2: ANNOUNCE SOLICITATION

Notify potential vendors

Public notice in publication with highest circulation – may not be county or regional newspaper if that doesn't meet criteria

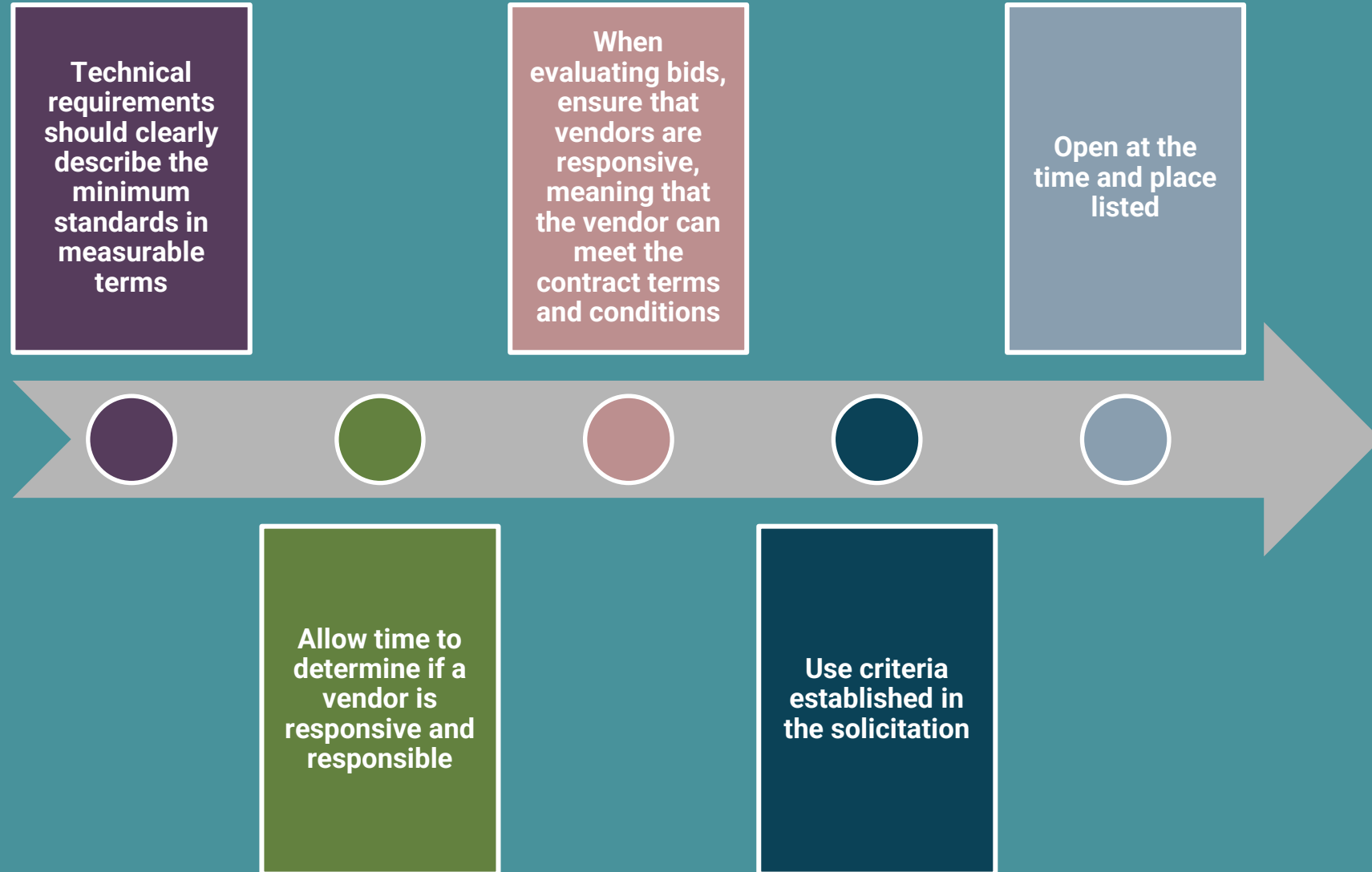
Public notice in largest county publication is OK



Include:

- Title of the solicitation and contract type
- Introduction and information about the program operator
- Specifications for goods or services
- Technical requirements
- Timelines and procedures
- May be brief or lengthy and detailed
 - The more extensive and detailed the specification, the more likely the CE will get what they need
 - However, do not be so specific that specifications restrict competition

STEP 3: EVALUATE BIDS



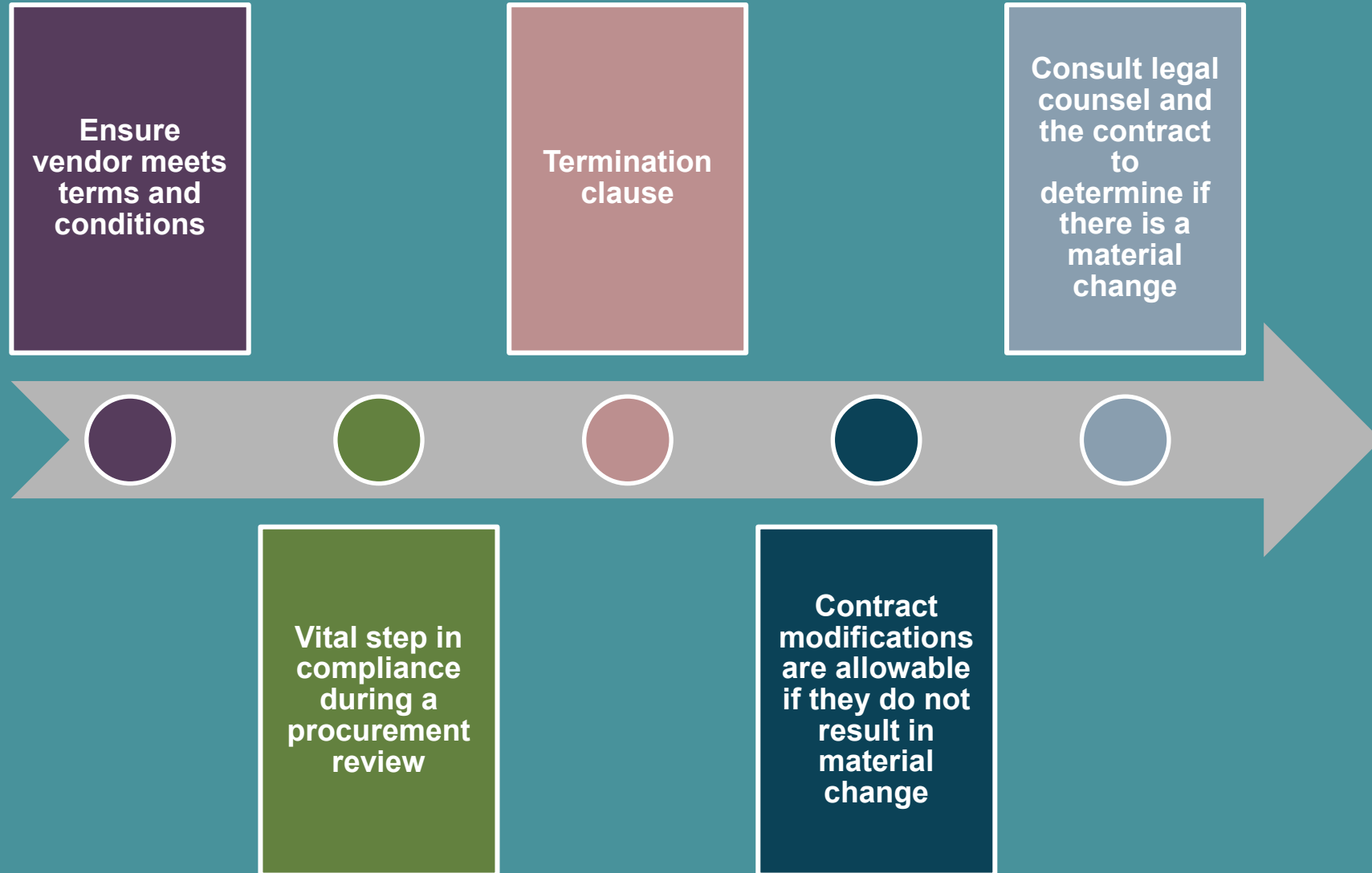
STEP 4: AWARD CONTRACT

Responsive,
responsible, best
price/highest eval score

Document, document,
document



STEP 5: MANAGE THE CONTRACT

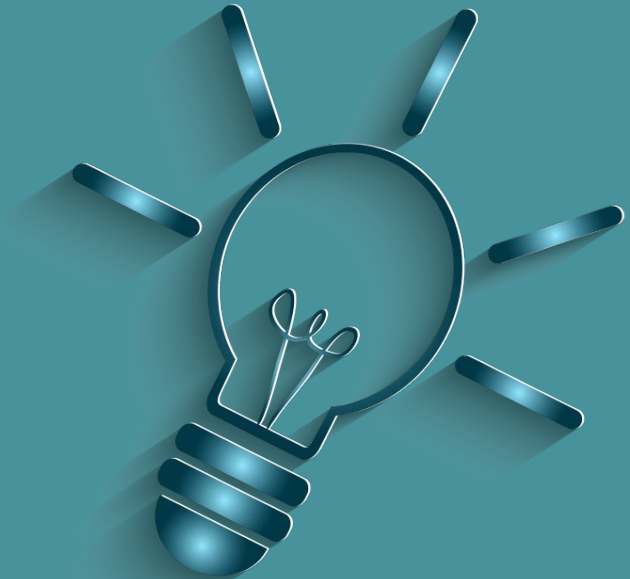


TEST YOUR KNOWLEDGE

QUESTION: The agency wants to evaluate and award points on a scale for criteria other than price. Which one do they use?

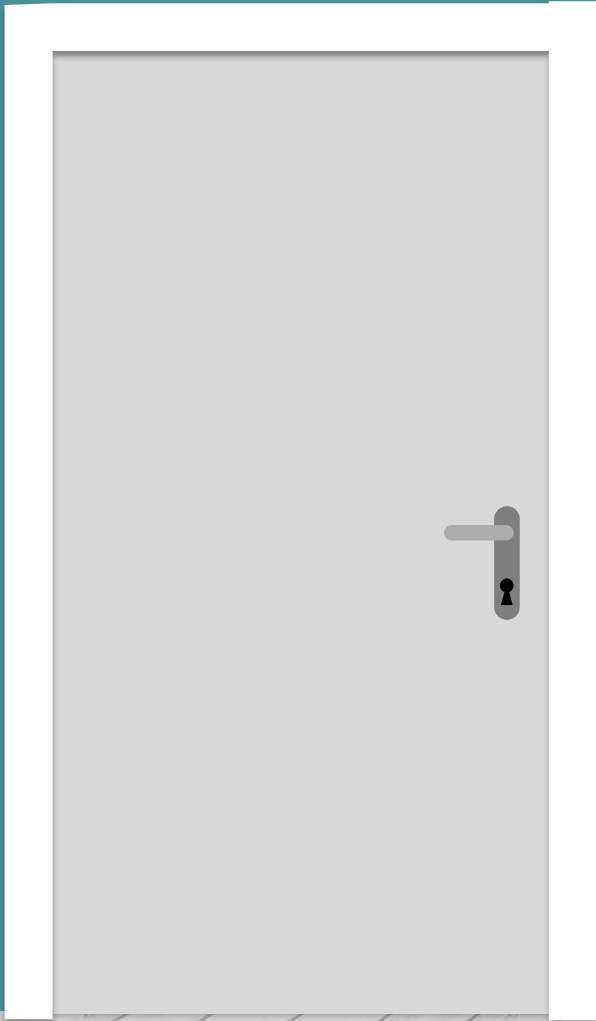
A. IFB

B. RFP



CO-OPs/GBO/GPO

- Use collective buying power and expertise to obtain the highest quality products at the best price
- Purchasing co-ops, group purchasing organizations, and group buying organizations
- Obtain better prices through economies of scale, by joining together and compiling total number of purchases – CEs get a better discount based on the increased number of product purchases
- Do the bids follow all TDA guidelines?
- Can only be 1 source of pricing

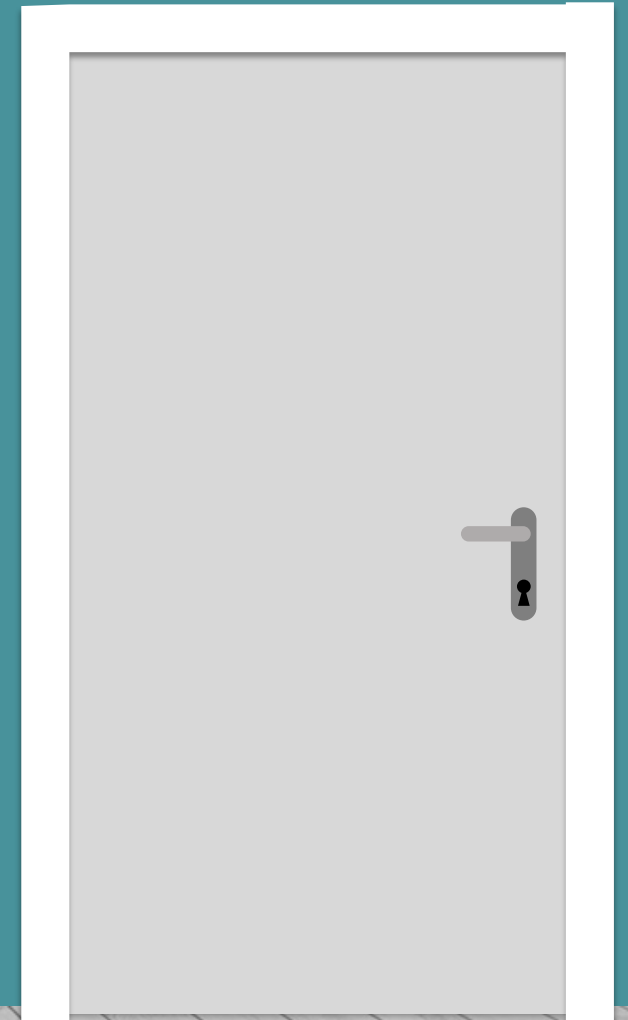


FAQ

- The TASB Buy Board™ is a GPO that has pricing catalogs from various vendors. When using a GPO for formal procurements, all elements of formal procurement must be followed
- For small purchases, CEs may utilize a GPO to solicit individual pricing from vendors to ensure that the best value is obtained by the district
- Use of the GPO does not eliminate the requirements for multiple quotes. CEs may obtain multiple quotes from various vendors utilizing the GPO and keep the comparison documentation on file. This information can be provided during the procurement review to demonstrate compliance

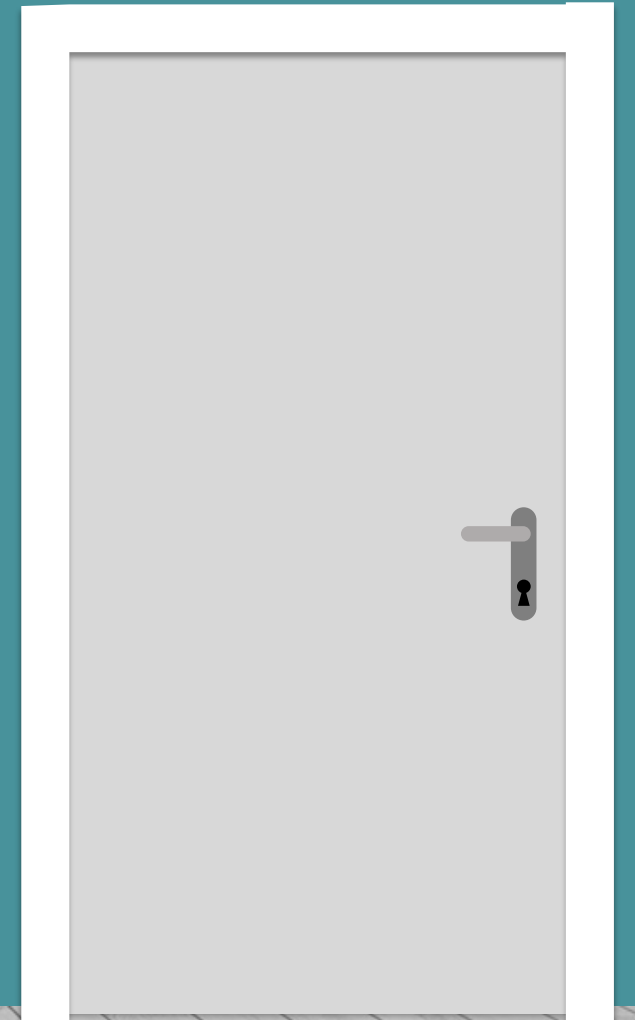
TOP FINDINGS: FORMAL

- Bids/offers were not evaluated as published in the solicitation
- RFP did not have a written method for conducting technical evaluations of proposals
- No cost/price analysis conducted to estimate cost of goods or services prior to solicitation
- FSMCs:
 - Failure to review invoices prior to payment
 - On-site monitoring of FSMC in specific periods



TOP FINDINGS: FORMAL – PREVIOUS YEARS

- CEs did not provide sufficient oversight of the procurement of formal contracts to ensure contractors performed by the terms, conditions, and specifications of their contracts
- Buy American requirements left out of IFBs and RFPs
- Failure to retain documentation justifying why an exception to the “Buy American” provision is appropriate



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7.1 CAPITAL EXPENDITURE REQUEST
7.2 TX-UNPS

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10 KNOWLEDGE CHECK & RESOURCES

C.E.R.

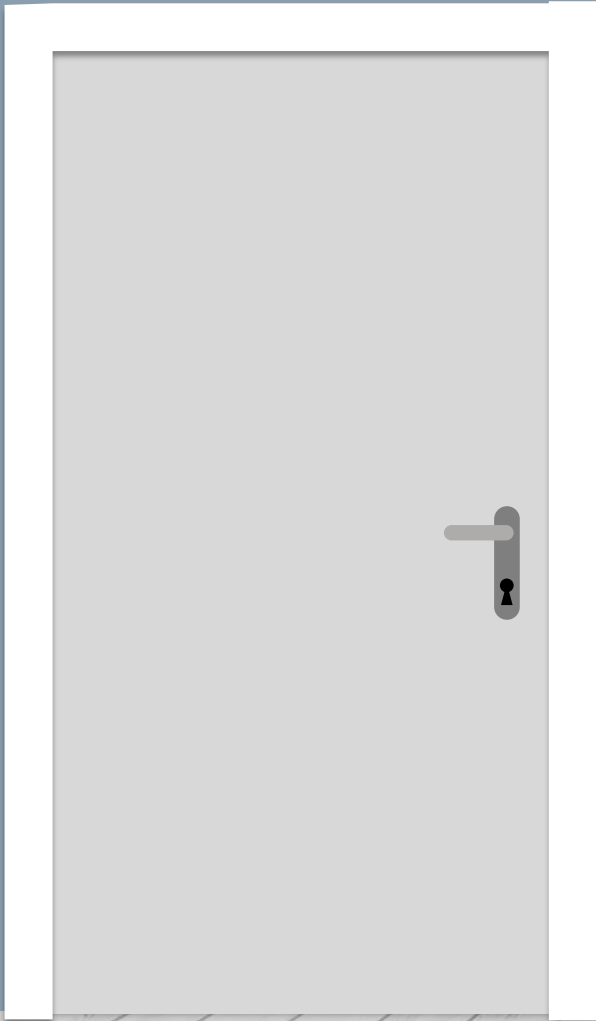
7.1
CAPITAL
EXPENDITURE
REQUEST

7.2
TX-UNPS

7
FLOOR

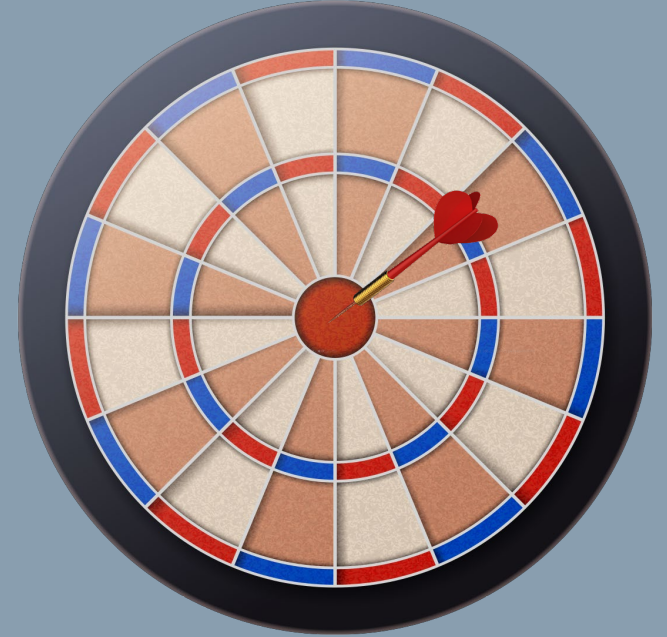
CAPITAL EXPENDITURE REQUEST

- Equipment or improvement exceeds \$5,000 for a single item
- Costs that are classified as capital improvements are intended to achieve one of the following results:
 - Make the property better by removing a defect, adding enhancements, or increasing strength or capacity
 - Restore the property to a condition existing before the property was acquired or rebuilding to a like-new condition
 - Adapt the property to a new or different use



GOAL

- Allowable vs unallowable
- Reasonable, allocable, necessary (RAN)



TX-UNPS

CAPITAL EXPENDITURE REQUEST

- Check year
- Submit through TX-UNPS prior to purchase
- Upload applicable documentation:
 - At least 2 quotes/bids
 - Justification for purchase in box
- Follow up



TX-UNPS

School Nutrition Programs

TX-UNPS

Applications | Claims | Compliance | Reports | Security | Search Programs | Year | Help | Log Out

Applications > School Year: 2022 - 2023

Item	Description
Contracting Entity Manager	SNP Contracting Entity's Profile, Site and Hold Information
Application Packet	Applications Forms (Contracting Entity and Site)
Attachment B	Policy Statement for Free and Reduced-Price Meals, Attachment B: Meal Count/Collection Procedure(s)
Attachment B: Upload Attachments	Manage the upload of attachments for the Attachment B form
Second Review of Applications	FNS-874 report for Contracting Entitys selected to conduct a second review of applications.
Verification Report	Mandatory Annual Verification Report
Verification Summary	Mandatory Annual Verification Report (FNS-742) Summary
Food Safety Inspections	Number of Food Safety Inspections by Site
Food Safety Inspections Summary	Number of Food Safety Inspections by Site Summary
Annual Audits	Annual Audits
FFVP Summary	Fresh Fruit and Vegetable Program Invitations and Approvals
Financial Report	School Food Annual Revenues and Expenditures Report
Financial Report Summary	School Food Annual Revenues and Expenditures Report Summary
FFVP Application Packet	Fresh Fruit and Vegetable Program Application Forms (SFA and Site)
FFVP Grants	Fresh Fruit and Vegetable Program Grant Information for a specific CE
FFVP Grant Overview	Fresh Fruit and Vegetable Program Grant Information by Site Overview
Capital Expenditure Request	Total Costs Associated with Operating a Summer Nutrition Program Request for funds to purchase capital items >= \$5,000
	Enrollment and Eligibility for Community Eligibility Provision
Texas Summer Mandate	Summer Nutrition Programs Intent Declaration
Texas Summer Mandate Summary	Summer Nutrition Programs Intent Summary
Direct Certification / Direct Verification	Direct Certification / Direct Verification screens
MENU Module	Menu Planning and Analysis module
Download Forms	Forms Available for Downloading

School Nutrition Programs

TX-UNPS

Applications | Claims | Compliance | Reports | Security | Search Programs | Year | Help | Log Out

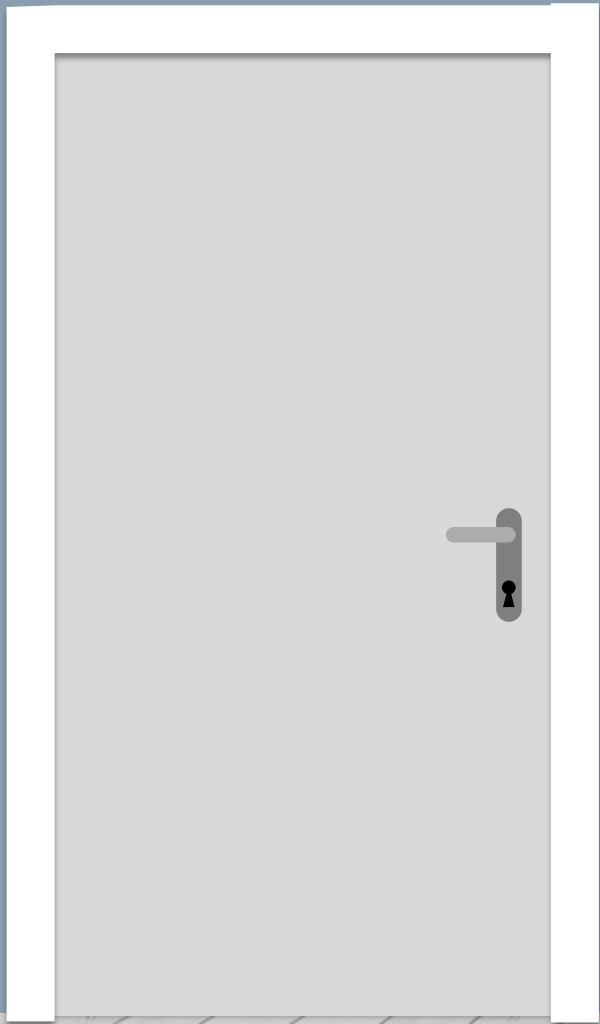
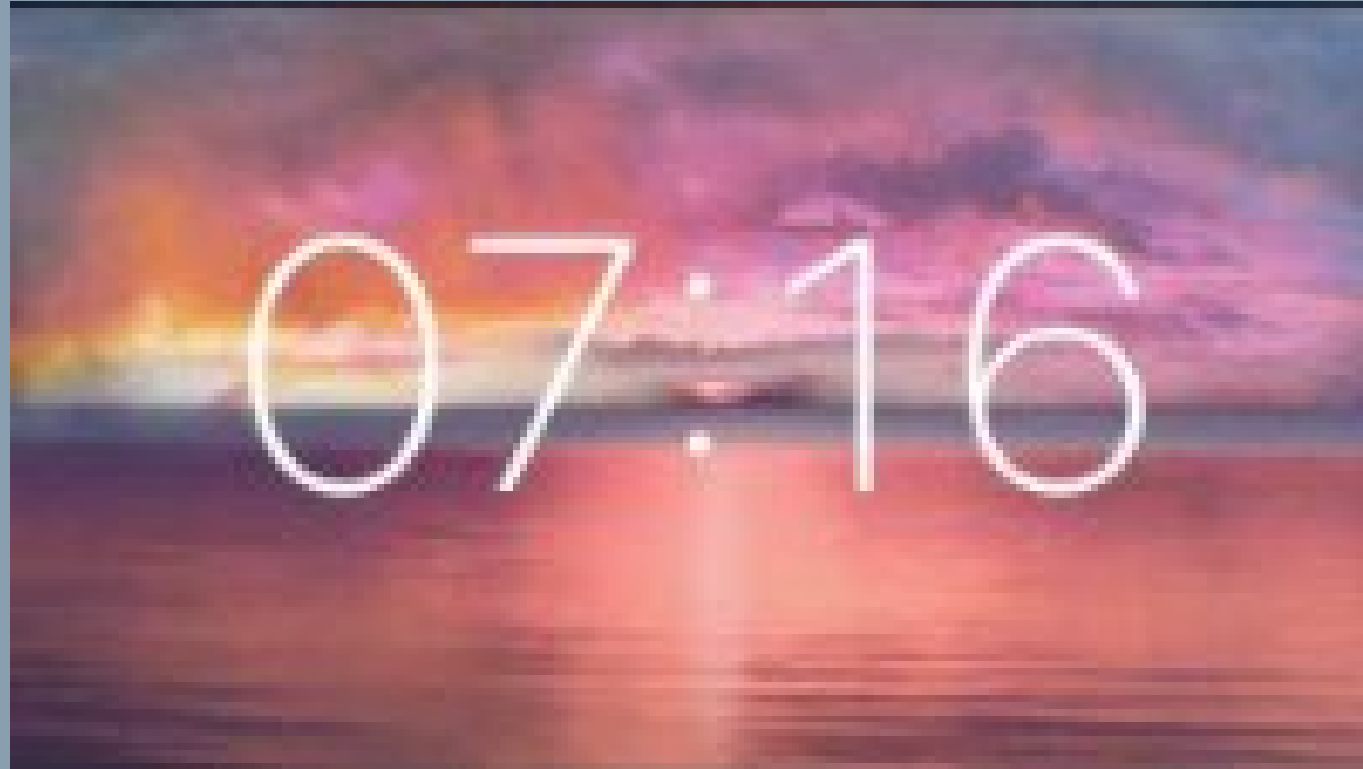
Applications > Capital Expenditure Request List > School Year: 2022 - 2023

Capital Expenditure Requests

Action	Request Amount	Received Date	Reviewed Date	Status
View		05/31/2022		Error

[< Back](#)

TAKE A BREAK!





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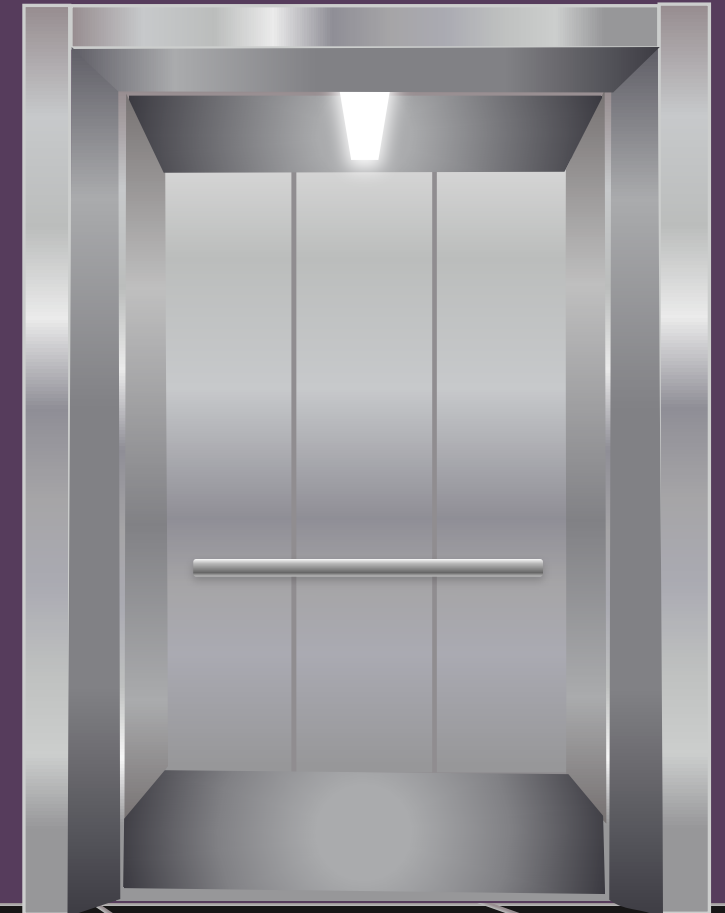
10 KNOWLEDGE CHECK & RESOURCES

SCENARIOS

8.1
SCENARIOS

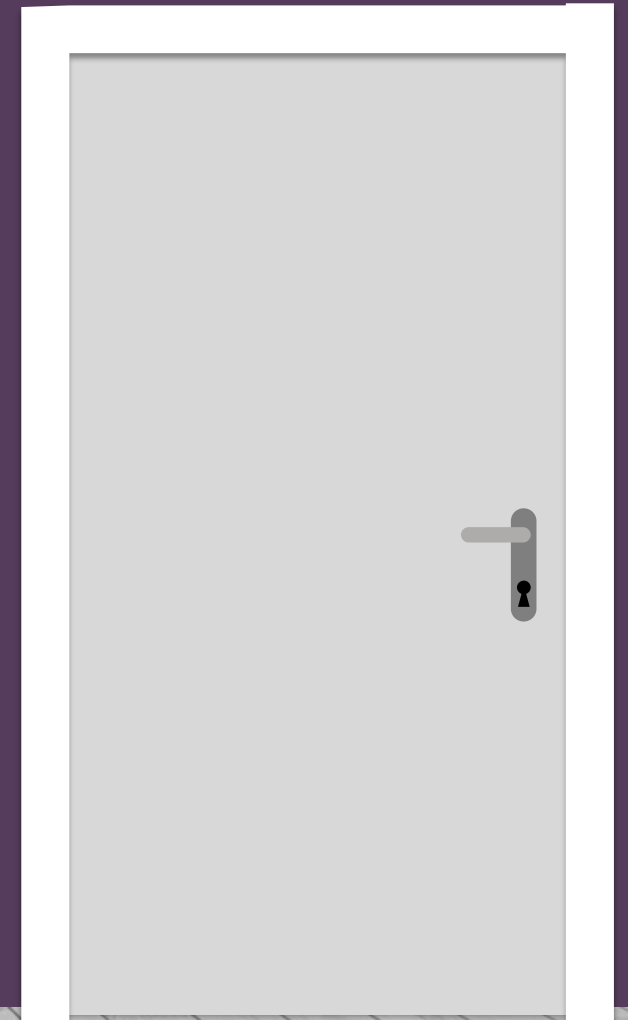
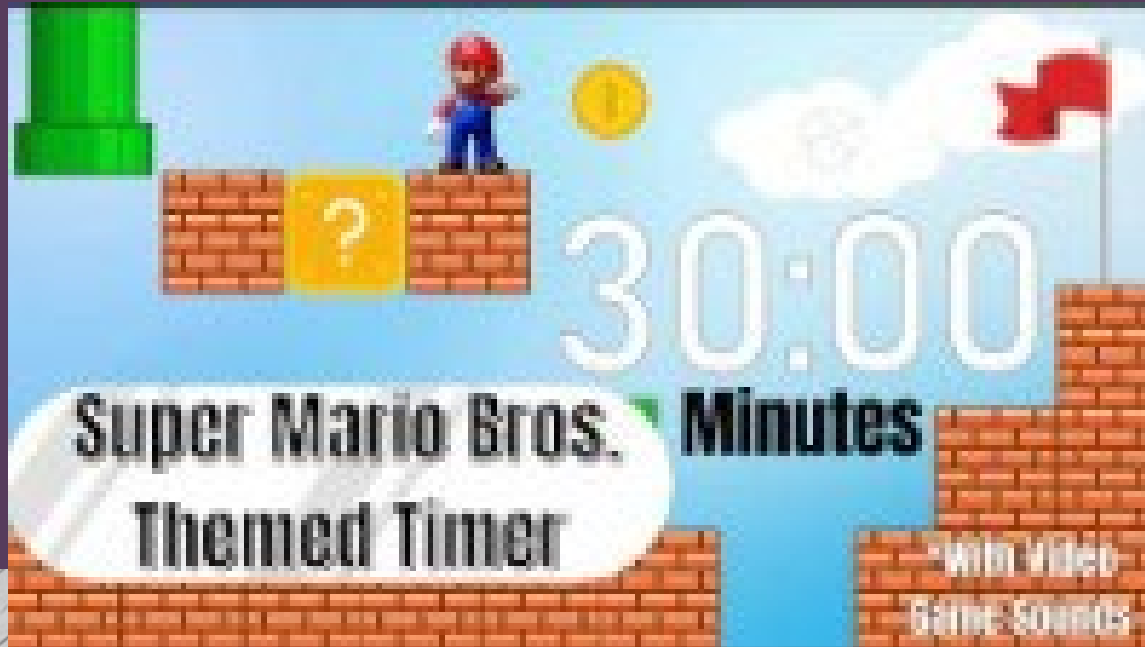


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FLOOR



ACTIVITY

- Read the procurement scenario at your table
- Discuss possible solutions
- Determine the best option for the situation
- Develop a compliant plan to share with the group



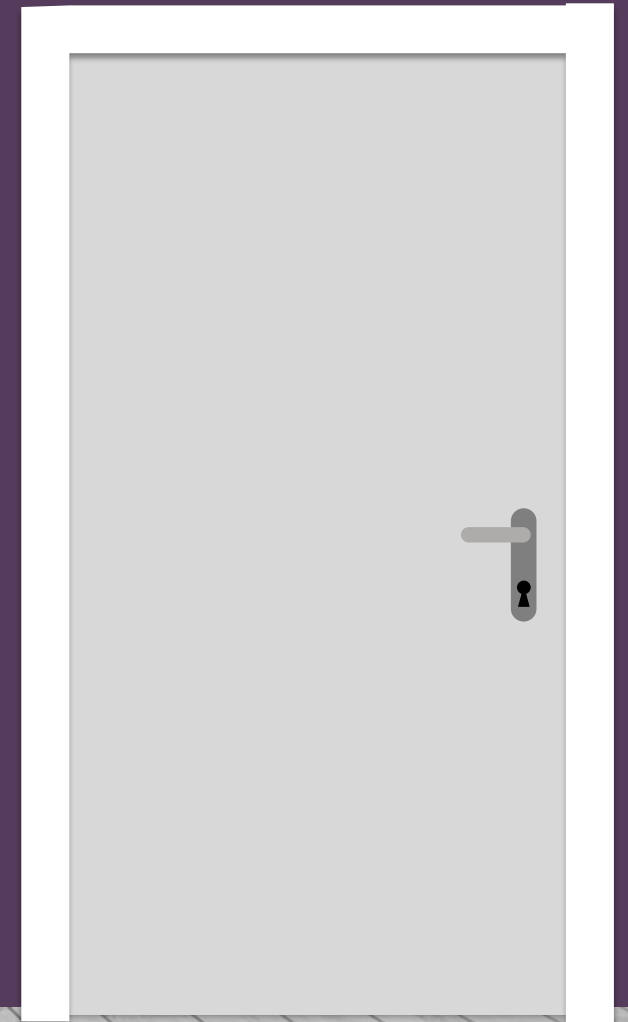
SCENARIO #1

- The middle school campus needs to replace the ovens
- The district would like to purchase combi-ovens for the upcoming school year
- We will need 2 ovens
- What are the proper procurement steps for this purchase? How will you ensure the purchase is compliant?



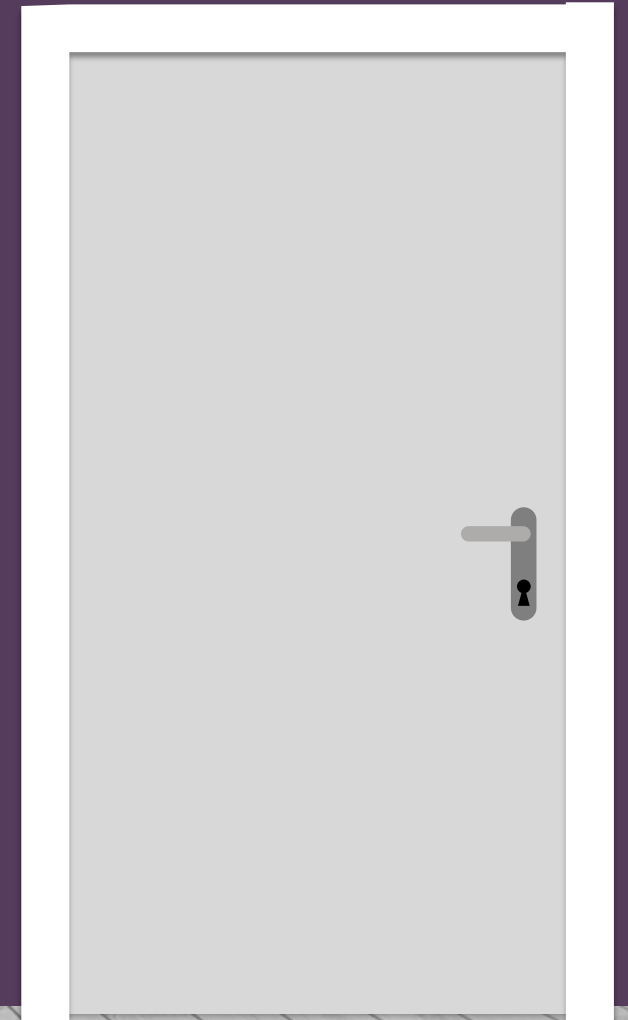
COMBI-OVEN PURCHASE

- What are your local procurement procedures?
- Which procurement method will you use?
- Remember to submit your capital expenditure request



CAPITAL IMPROVEMENTS/ EXPENDITURES

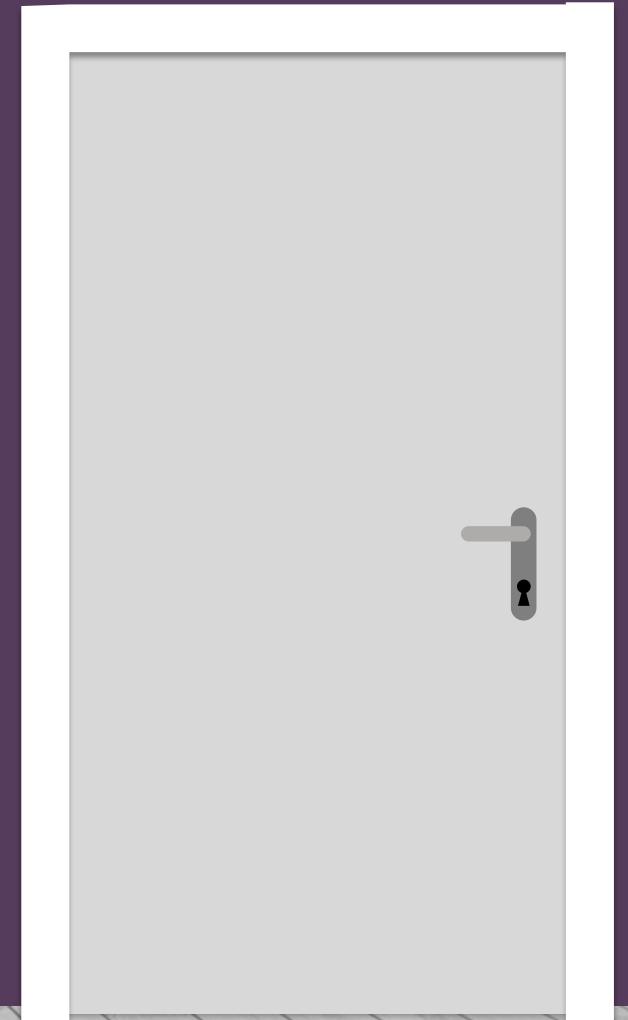
- Direct cost expenses to acquire capital assets or to make additions, improvements, modifications, replacements, reinstallations, renovations, or alternations to capital assets to be used for general purposes for multiple years and that materially increase the value or useful life of the asset
- Exceeds \$5,000 for a single item
- TDA must approve capital expenditures before a CE makes a capital expenditure purchase



SCENARIO #2



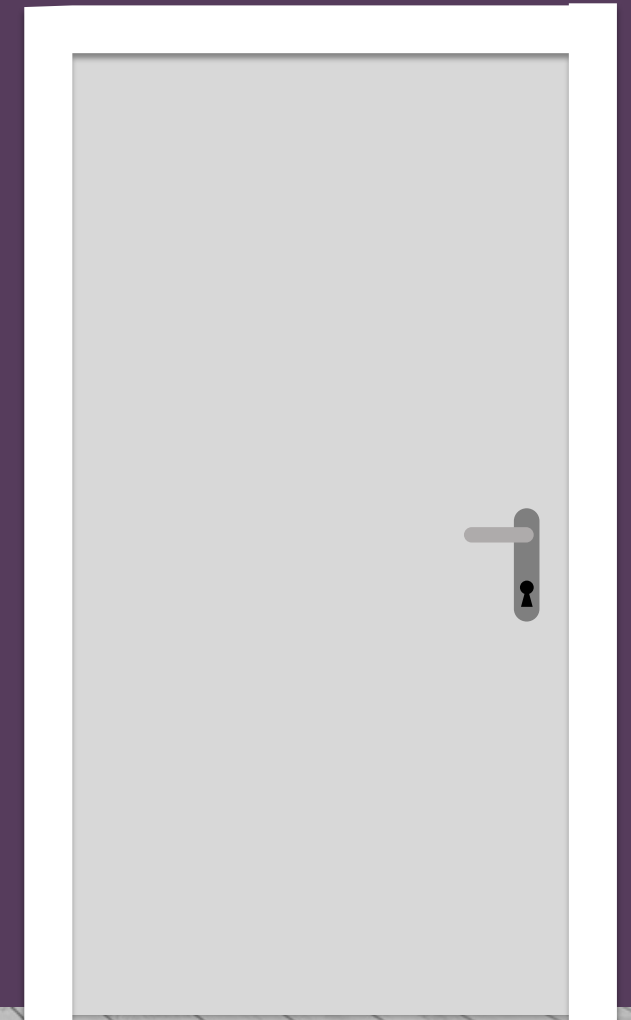
- Your district had a reach-in refrigerator go out and was able to move items to a backup refrigerator, which gives you time to conduct the appropriate purchase
- After a quick online search and talking to a few suppliers, you estimate it will cost \$56,000-\$60,000 to replace
- Your CE put together an RFP, advertised it in a regional paper for 14 days (5 print/9 digital media), and emailed it to 4 known suppliers
- You received 2 responsive proposals
- Score and award the best proposal. Be prepared to justify your selection.



SCENARIO #2

VENDOR	ALPHA	OMEGA
Install days	7	5
Price	\$54,899	\$57,399

Evaluation Criteria		Alpha	Omega
Price	46		
Install date	30		
Recent references	14		
Years in business	10		



ALPHA VS. OMEGA

- Which purchase method was used?
 - Formal - RFP
- How did you score each vendor?
 - Award points
 - Be consistent
 - Responsiveness
- Did you remember to submit your capital expenditure request?



SCENARIO #3



- Your district uses ACME point of sale software and hardware that was purchased for \$189,000
- After the 4th year, the warranty and software license expires, and you just started the 4th year
- What do we need to do to comply and prepare for year 5?
- ACME has an annual software license and maintenance package for \$20,000
- After attending a virtual trade show, you found a new software with new technology with better pricing
- What procurement method will we use, and what options do you have?



ACME SOFTWARE & POS

- Determine goals of program
- Market research to decide how to achieve goals
- If stay with current vendor, submit sole source with TDA after year 5 (annually)
- If new technology is important, then formal purchase procedure according to local plan



SCENARIO #4

- My once-per week food delivery arrived this morning with enriched bread substituted for whole grain bread
- The school has a field trip tomorrow, and the whole grain bread was planned to contribute as the whole grain requirement for the day/week
- What should you do? What procurement options do you have?



NO WG BREAD

- Must meet meal pattern
- Are there any substitutions available in your inventory?
- Micro-purchase options in your area?



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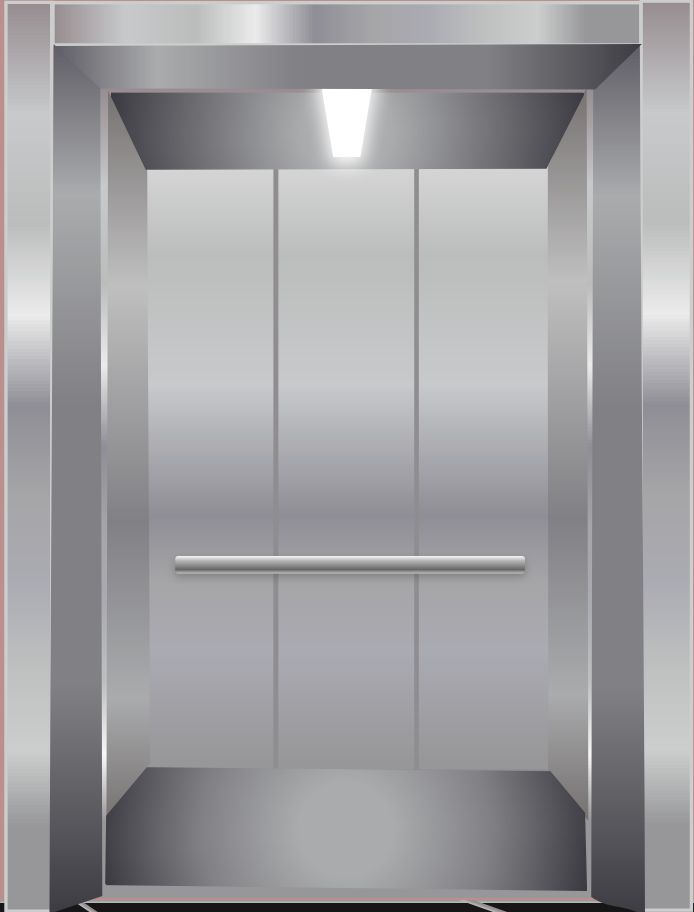
7.1 CAPITAL EXPENDITURE REQUEST
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YOU ARE GETTING
AUDITED



PR TIMELINE

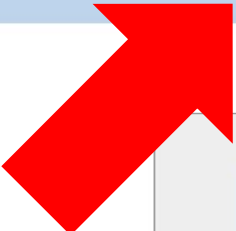
1. Notification letter
2. CE uploads initial documents into TX-UNPS and fills out the procurement table
3. ARS will select sample
4. CE will have 5 operational days to upload the data requested
 - Receipts/invoices
 - Solicitation documentation
 - Bids/responses
 - Evaluations
 - Executed contracts

IMPORTANT DOCUMENTS

- Detailed General Ledger
- Written Code of Conduct
- Documented Procurement Procedures
- Additional FSMC documentation, if applicable
 - USDA Foods reconciliation documentation
 - Monitoring Evaluations per quarter
 - Advisory board documentation
 - Reconciliation of discounts, rebates, and credits
 - All bidder responses
- Processing documentation, if applicable
- Vendor Paid List – NPSFSA (240) for the review period



Programs



School
Nutrition
Programs



Child and
Adult Care
Food
Program



Maintenance
and
Configuration



Summer
Food
Service
Program

Security

Food
Distribution
Program

School Nutrition Programs

TX-UNPS

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Compliance >

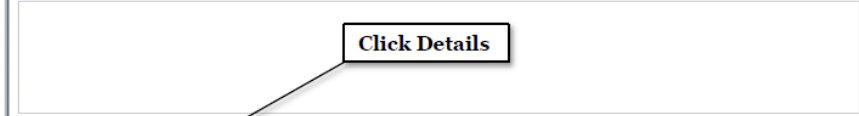
Item	Description
Review Tracking	Functions for tracking reviews.
Bulk Review Scheduling	Functions for scheduling reviews in bulk.
Bulk Review Assignments	Functions for bulk assignments to reviews.
Bulk Cycle Assignments	Functions for bulk cycle assignments to reviews.
Historical Reviews	Functions for tracking historical CRE Reviews.
Procurement Review Tracking	Functions for tracking procurement reviews.
Procurement Review Bulk Scheduling	Functions for scheduling procurement reviews in bulk.
Procurement Bulk Cycle Assignments	Functions for bulk cycle assignments to procurement reviews.

Select Procurement Review Tracking

Applications | Claims | Compliance | Reports | Security | Search Programs | Year | Help | Log Out

Procurement Review List > School Year: 2021 - 2022

SNP Procurement Reviews



Click Details

Expand

Actions	Review ID	Review Year	Review Type	Lead Reviewer	Scheduled Date	Closed Date	Nbr of Vendors	Status
Details	47503	2021 - 2022	Procurement		7/26/2021		5	Open

Add New Procurement Review

< Back

PROCUREMENT TABLE

School Nutrition Programs > Compliance > Procurement Review Tracking > Procurement Table

- Use the Vendor Paid List (VPL) to add ALL vendors into the procurement table in TX-UNPS
- The GL will be reviewed to validate the purchases/total expenditures list on the Procurement Table and VPL
- Procurement Table is completed based on procurement method used
- If RFPs are used, the CE must add the RFP # in the procurement table
- Do NOT check the box “selected for review”

Review Tools	
Action	Description
View Modify	Review Information
View Modify	Contracting Entity Contact Information
Detail	Contracting Entity Procurement Table Staff: (3) Vendors: (19)
Detail	Review Forms Vendors Selected for Review: (5)
View Modify	Corrective Action Documents (5)
View Modify	Recommendations (0)
View Modify	Commendations (0)
View Modify	Technical Assistance (5)
View Modify	Notes to Contracting Entity (0)
View Modify	State Agency Notes (0)
Detail	Review Attachments (47)
Detail	State Agency Attachments (0)

Click Detail for CE Procurement Table

Group Purchasing Organizations, Group Buying Organizations and Third Party Entities		
Did the SFA pay a membership fee, join at no cost, or otherwise enter into an agreement with a Group Purchasing Organization (GPO), Group Buying Organization (GBO) or third party entity?		
If Yes, Provide Organization Name/Type		
Count: 4		
Action	Organization Name	Organization Type
	Prospering pals- CO-OP	Group Purchasing Organization
	Multi region- CO-OP	Group Purchasing Organization
	Buyboard	Group Purchasing Organization
	Choice Partners CO-OP	Group Purchasing Organization

Vendors		
Type	Vendor Count	# Selected for Review
Micro Purchases	33	2
Small Purchases	12	4
Formal Contracts	5	2
FSMC Contracts	0	0
Processing Contracts	0	0

FSMC Uploads

- Initial upload includes signed/executed contract/renewal – TDA will check that no changes were made to approved document
- Later, CE will need to upload:
 - 3 invoices and supporting documentation
 - USDA Foods reconciliation
 - Reconciliation of discounts, rebates, and credits
 - Last 2 monitoring forms
 - Solicitation
 - Bidder/offeror responses
 - Scoring sheets of all bidders

CORRECTIVE ACTION

Describe the process the CE will put into place to prevent the finding from reoccurring in the future at all sites

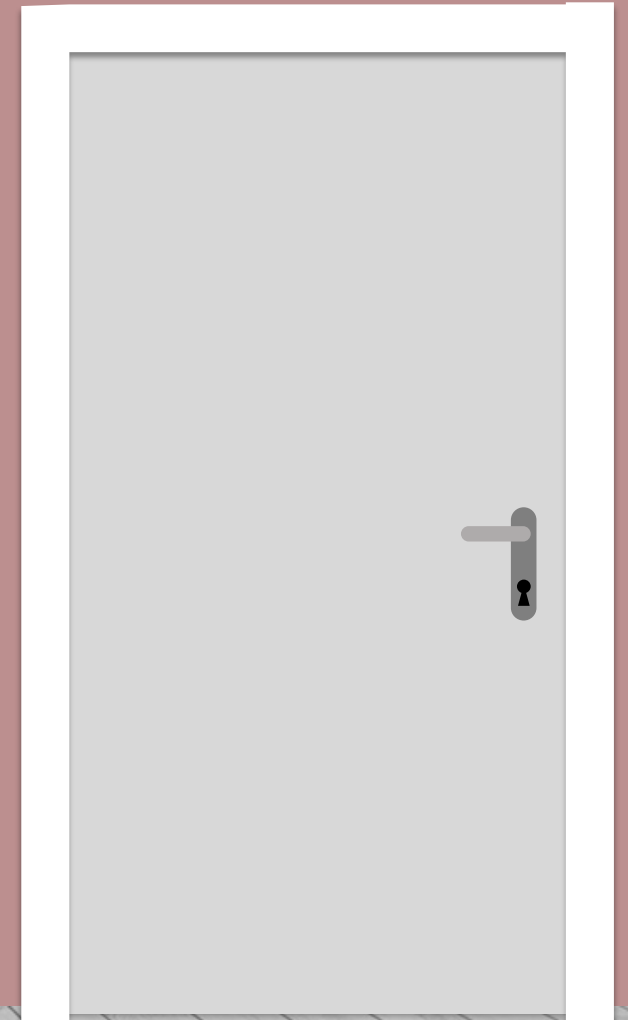
Must Include:

- Must meet timeline – to prevent financial holds
- Any documentation requested by the ARS
- What happened – provide details that caused the finding to happen
- How the finding will be prevented from occurring again – provide a step-by-step plan
- Who is responsible for implementing the changes and ensuring compliance

CAD EXAMPLE

CAD finding:

The Contracting Entity (CE) must ensure that micro-purchases are distributing equal amounts to all qualified sources that are able to provide the products and/or services at a reasonable cost. The Contracting Entity (CE) used this vendor for 31 purchases for a total of \$8,452.94 without using any similar vendors.



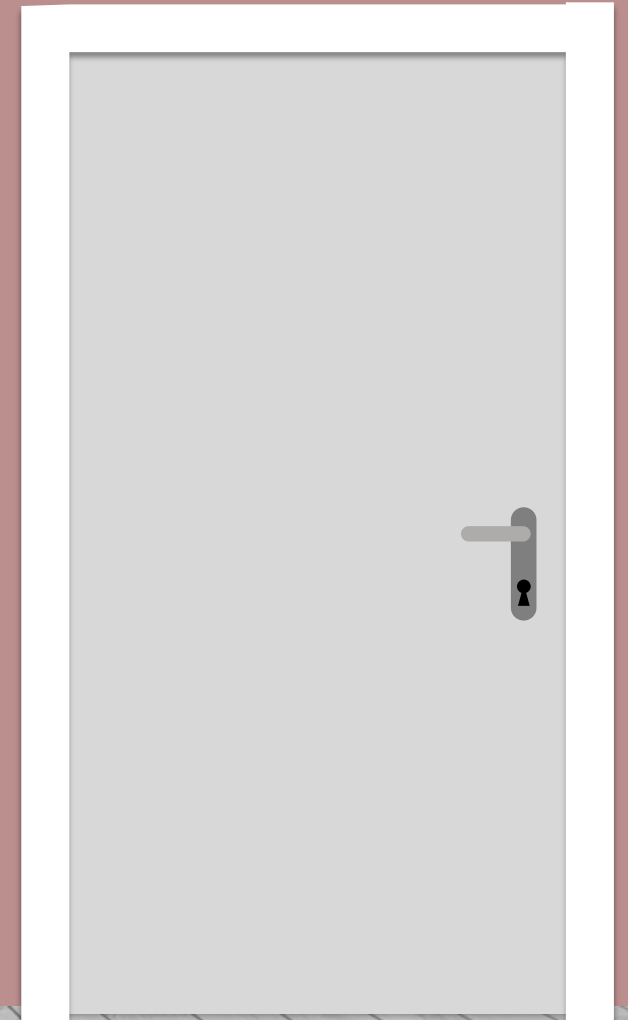
CAD EXAMPLE

Corrective action:

The district had a recent turnover and a lack of training for the new employee. The new employee is attending procurement training by ESC 11, and employees will be cross-trained to always have a backup. For future purchases, the district will either use the micro-purchase method and spread the purchases equitably to the maximum extent practicable to all qualified sources that are able to provide the products and/or services at a reasonable cost as long as the threshold amount does not exceed the micro-purchase limit;

Or,

The District will use a small purchase method of procurement and follow the guidelines required of that process including but not limited to providing specifications, collecting quotes, comparing products, completing a contract with the selected vendor, and maintaining proper documentation. The procurement procedures will reflect these recent changes to prevent future findings. The assistant director will now approve all purchases prior to entry.



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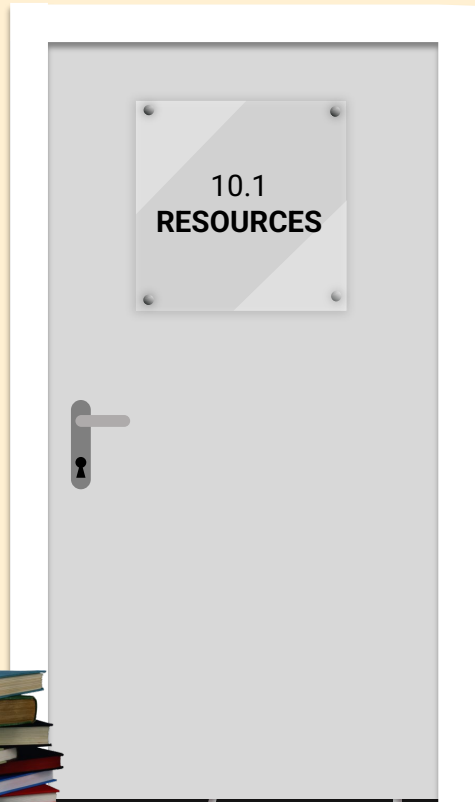
7.1 CAPITAL EXPENDITURE REQUEST
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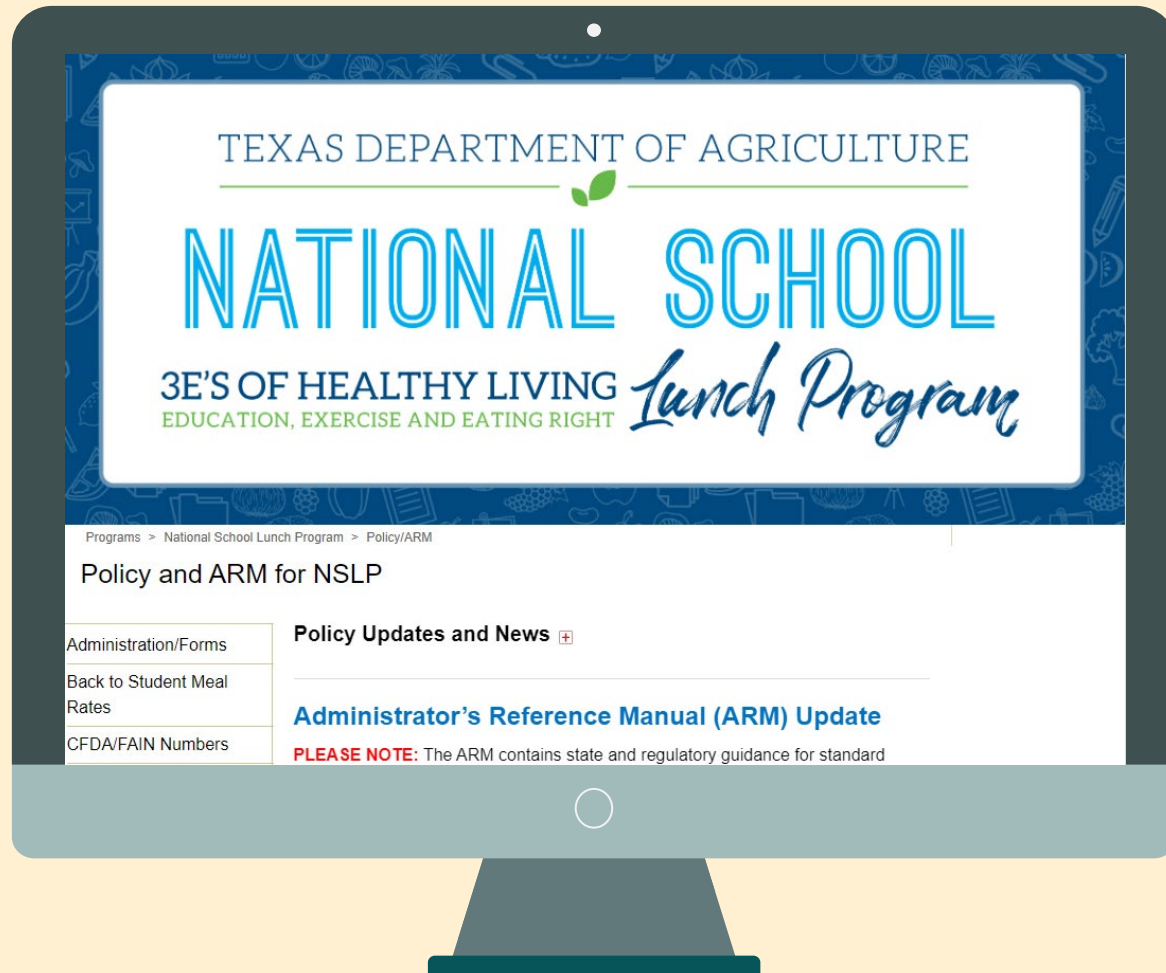
10 KNOWLEDGE CHECK & RESOURCES

RESOURCES



SLIDESMANIA.COM





TOOLS

- [Squaremeals.org](https://www.squaremeals.org)
- [SNA](#)
- [ICN](#)
- [Crosswalk](#)

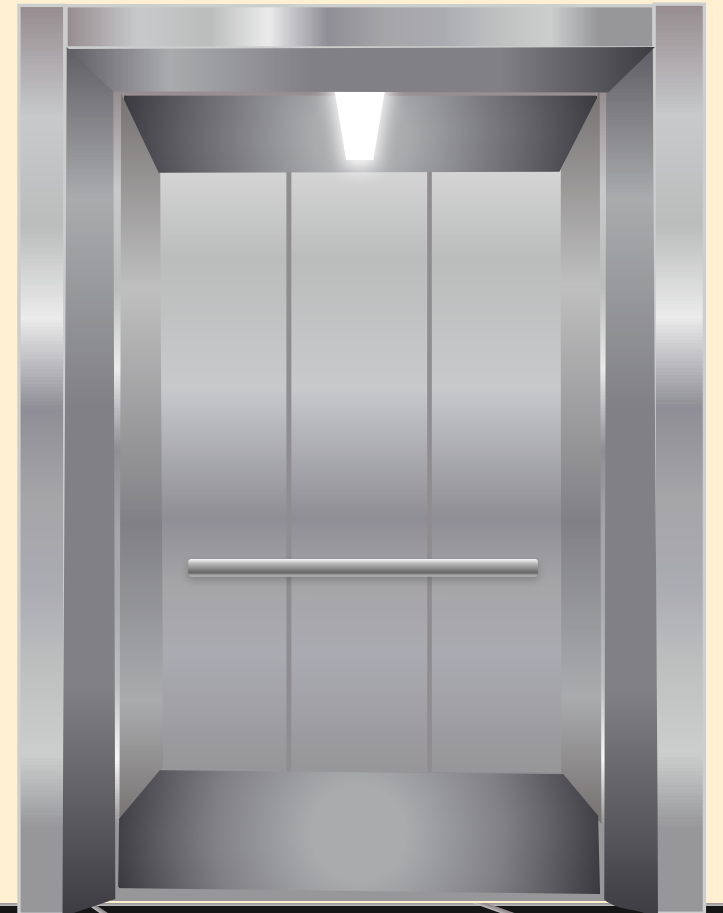
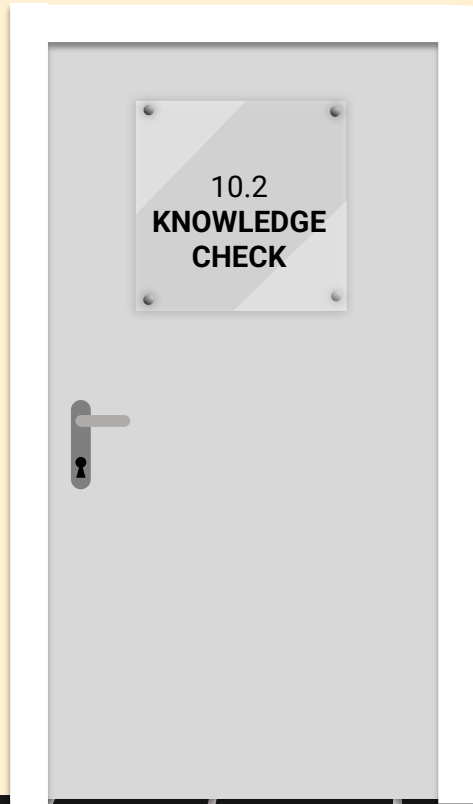
Regulatory Conflict: USDA/USDE
June 6, 2019

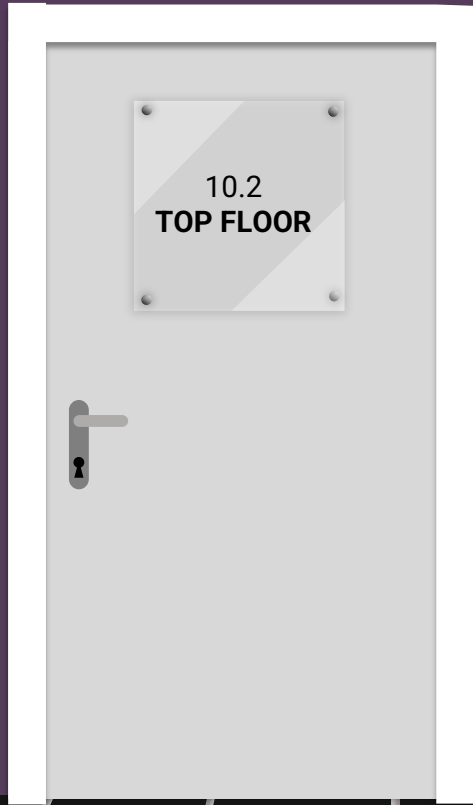
School Nutrition Program (SNP) Procurement and Texas Public Education Procurement	
Funding Source	Crosswalk
United States Department of Agriculture (USDA) and Texas Department of Agriculture (TDA)	United States Department of Education (USDE) and Texas Education Agency (TEA) Guidance
Charter School Purchasing [USDA] Charter school purchasing must meet all SNP federal and state requirements for procurement.	USDE and TEA [Texas Law] Charter school purchasing must meet all federal requirements, but may be exempt from specific state purchasing requirements based on the charter award.
Small Purchase Threshold [TDA] Less than or equal to \$50,000.	[TEA] Less than \$50,000 (TEA).
Micro-Purchase [USDA] \$10,000 on a single purchase—purchases must be equitably distributed.	[TEA] \$10,000 annually for the purchase of like-type items—district and charter determination of like-type items.
Buy American [USDA] Food products must meet the Buy American standard—over 51% of the final processed food product must consist of agricultural commodities that were grown domestically.	[EDGAR, 2 CFR 200] Not allowable.
Local Preference [USDA] SNP operators may assign preference points for local products or services as long as the definition for local is created by the SNP operator.	[Texas Law] Purchases made with state funds be awarded to products created within the state or business located in the state; however, federal EDGAR regulations prohibit any geographic preference in procurements.
Public Advertising [USDA] Public notice for a procurement solicitation must be announced in a publication with the highest possible circulation in order to increase competition—Depending on the products or services to be procured, county and regional newspapers may not meet this criteria.	[Texas Law] Public notice for a procurement solicitation may be announced in the largest circulation newspaper in the county in which the district or charter is located.

Page 1 of 2

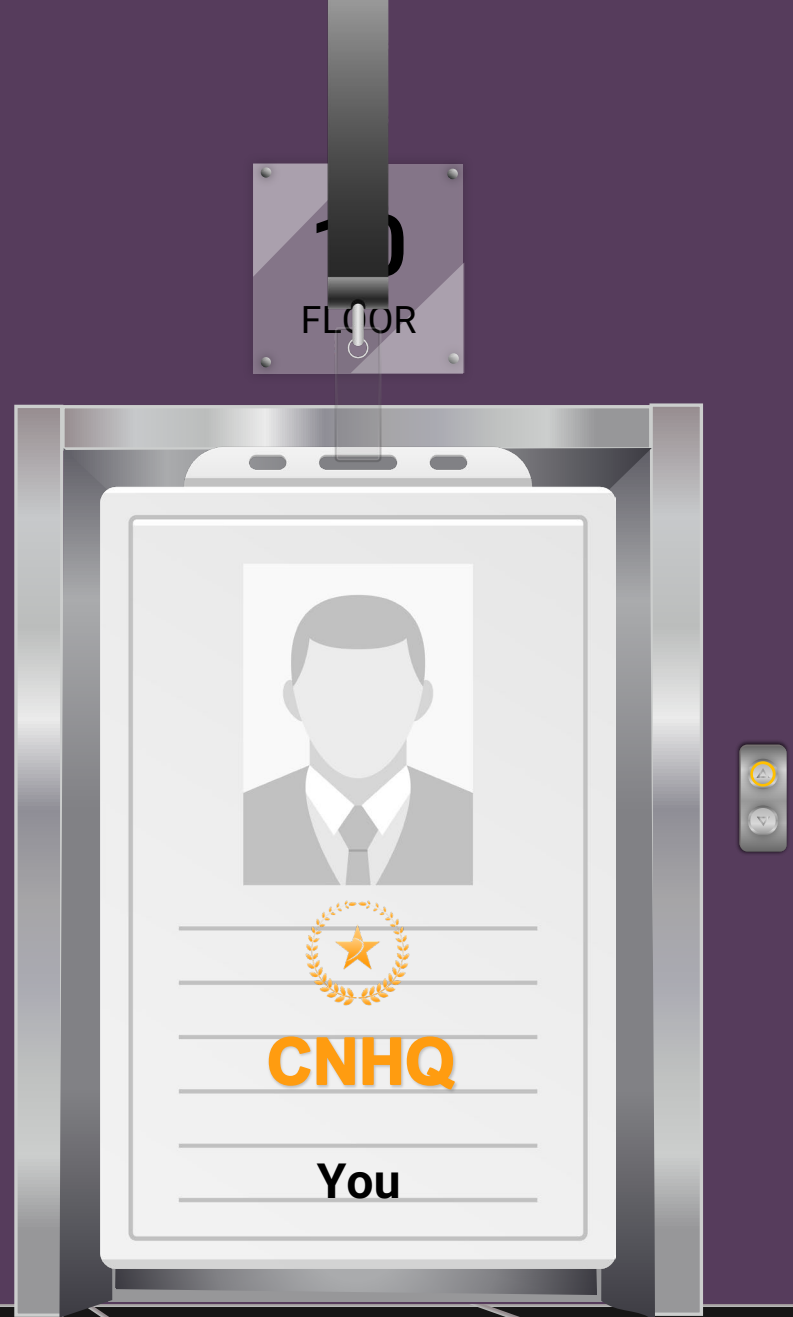
ARM sections 16 (allowable and unallowable costs), 16a (contract management), 17, 17a, 17b, 17c, 18

KNOWLEDGE CHECK





CONGRATULATIONS!
**You have
earned your
badge**



10
FLOOR



CNHQ

You



10.2
TOP FLOOR

QUESTIONS?

10
FLOOR



TEXAS DEPARTMENT OF AGRICULTURE COMMISSIONER SID MILLER

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Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1.mail:

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or

2.fax:

(833) 256-1665 or (202) 690-7442; or

3.email:

Program.Intake@usda.gov

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