



**Series** 700: Purchasing & Procurement

**Policy Name** **Purchasing & Procurement**

**Policy Number** 701 & 702

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### **Policy**

As a pass-through recipient of state and federal funding, Communities Connected for Kids complies with and follows the federal guidance of 2 CFR Part 200 and the state guidelines outlined in Florida Statutes 287 and 215, and Florida Administrative Code 60A -1 for the purchase of goods and services necessary to meet contractual requirements and conduct operational functions.

### **Scope**

The purpose of this policy is to establish guidelines for Communities Connected for Kids' fiscal practices through proper Purchasing and Procurement procedures ensuring compliance with financial and fiduciary responsibilities, which recognize fair and open competition as a basic principle and which ensure that such competition diminishes the appearance and occasion for impartiality and encourages public confidence.

- Ensures purchases are made in an open, fair and clear manner;
- Delivers the best value;
- Manages risk;
- Promotes efficient purchasing practices and their continuous improvement; and
- Ensures all purchasing activities are in accordance with contractual and common law responsibilities.



## DEFINITIONS

**Administrative Services:** Comprises establishments primarily engaged in providing a range of day-to-day office administrative services, such as: financial planning; accounting; payroll/personnel management; and physical distribution and logistics for others on a contract or fee basis. These establishments do not provide operating staff to carry out the complete operations of a business.

**Best Value:** highest overall value to the state based on factors that include, but are not limited to, price, quality, design, and workmanship.

**Commodity:** Any of the various supplies, materials, goods, merchandise, food, equipment, information technology, and other personal property or portable structure with floor space less than 5,000 square feet, purchases, leased, or otherwise contracted for by the state and its agencies.

**Competitive Solicitation:** process of requesting and receiving two or more sealed bids, proposals, or replies submitted by responsive vendors in accordance with the terms of a competitive process, regardless of the method of procurement.

**Contract:** mutually binding legal relationship evidenced by a written agreement obligating a Contractor to furnish commodities or contractual services to the Department, an agency, an eligible user, or another state. A Contract requires signatures of all parties.

**Contractor:** person who contracts to sell commodities or contractual services to an agency.

**Contractual Services:** (non-commodity services) means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors, and such services may include, but are not limited to, evaluations; consultations; maintenance; accounting; security; management systems; management consulting; educational training programs; research and development studies or reports on the findings of consultants engaged thereunder; and professional, technical, and social services. The term does not include a contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of a facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property.

**Cost Allocation Plan:** narrative description of the procedures that Communities Connected for Kids, Inc. will use in identifying, measuring, and allocating all State agency costs incurred in support of all programs administered or supervised by Communities Connected for Kids, Inc.

**Cost Objective:** a program, function, activity, award, organizational subdivision, contract, or work unit for which cost data are desired and for which provision is made to accumulate and measure the cost of processes, products, jobs, capital projects, etc.

**Emergency Purchases:** The purchasing of goods or services necessitated by an immediate danger to the public's health, safety, welfare, or other substantial loss to the agency (i.e. hurricanes, fire, flood, natural disaster, etc.)

**Exceptional Purchase:** any purchase of commodities or contractual services excepted by law or rule from the requirements for competitive solicitation, including, but not limited to, purchases from a single source; purchases upon receipt of less than two responsive bids, proposals, or replies; purchases made by an agency after receiving approval from the department

**Federal Award:** can be defined as either:

- (a) (1) The Federal financial assistance that a non-Federal entity receives directly from a Federal awarding agency or indirectly from a pass-through entity, as described in §200.101 Applicability; or; (2) The cost-reimbursement contract under the Federal Acquisition Regulations that a non-Federal entity receives



directly from a Federal awarding agency or indirectly from a pass-through entity, as described in §200.101 Applicability.

- (b) The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (b) of §200.1 Federal financial assistance, or the cost-reimbursement contract awarded under the Federal Acquisition Regulations.

Federal award does not include other contracts that a Federal agency uses to buy goods or services from a contractor or a contract to operate Federal Government owned, contractor operated facilities (GOCOs).

**Federal Financial Assistance:** assistance that non-Federal entities receive or administer in the form of grants, cooperative agreements, non-cash contributions or donations of property, direct appropriations, and food commodities.

**Federal Program:**

- (a) All Federal awards which are assigned a single number in the CFDA.
- (b) When no CFDA number is assigned, all Federal awards to non-Federal entities from the same agency made for the same purpose must be combined and considered one program.
- (c) Notwithstanding paragraphs (a) and (b) of this definition, a cluster of programs. The types of clusters of programs are:
  - (1) Research and development (R&D);
  - (2) Student financial aid (SFA); and
  - (3) "Other clusters," as described in the definition of Cluster of Programs.

**Fixed Amount Awards:** type of grant agreement under which the Federal awarding agency or pass-through entity provides a specific level of support without regard to actual costs incurred under the Federal award. This type of Federal award reduces some of the administrative burden and record-keeping requirements for both the non-Federal entity and Federal awarding agency or pass-through entity. Accountability is based primarily on performance and results.

**General Purpose Equipment:** equipment which is not limited to research, medical, scientific or other technical activities. Examples include office equipment and furnishings, modular offices, telephone networks, information technology equipment and systems, air conditioning equipment, reproduction and printing equipment, and motor vehicles.

**Indirect [facilities & administrative (F&A)] Costs:** costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. To facilitate equitable distribution of indirect expenses to the cost objectives served, it may be necessary to establish a number of pools of indirect (F&A) costs. Indirect (F&A) cost pools must be distributed to benefitted cost objectives on bases that will produce an equitable result in consideration of relative benefits derived.

**Internal Controls:** a process, implemented by a non-Federal entity, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

- (a) Effectiveness and efficiency of operations;
- (b) Reliability of reporting for internal and external use; and
- (c) Compliance with applicable laws and regulations.

**Internal Control over Compliance Requirements for Federal Awards:** process implemented by a non-Federal entity designed to provide reasonable assurance regarding the achievement of the following objectives for Federal awards:



- (a) Transactions are properly recorded and accounted for, in order to:
  - (1) Permit the preparation of reliable financial statements and Federal reports;
  - (2) Maintain accountability over assets; and
  - (3) Demonstrate compliance with Federal statutes, regulations, and the terms and conditions of the Federal award;
- (b) Transactions are executed in compliance with:
  - (1) Federal statutes, regulations, and the terms and conditions of the Federal award that could have a direct and material effect on a Federal program; and
  - (2) Any other Federal statutes and regulations that are identified in the Compliance Supplement; and
- (c) Funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

**Invitation to Bid:** a formal competitive procurement solicitation that is used primarily for values \$150,000.01 or over. Written or electronically posted solicitations for competitive sealed bids contain specification or scope of work and contain terms and conditions. The solicitation must also include a closing date, time and place for which items received will be publicly opened and recorded. This solicitation is primarily utilized when price is the main consideration and the procurement lends itself to a firm fixed price contract.

**Invitation to Negotiate:** a written or electronically posted solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or contractual services.

**Major Program:** Federal program determined by the auditor to be a major program in accordance with §200.518

**Management decision:** the evaluation by the Federal awarding agency or pass-through entity of the audit findings and corrective action plan and the issuance of a written decision to the auditee as to what corrective action is necessary.

**Micro-purchase:** purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold. Micro-purchase procedures comprise a subset of a non-Federal entity's small purchase procedures. The non-Federal entity uses such procedures in order to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost. The micro-purchase threshold is set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions). It is \$10,000.

**Pass-through entity:** non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program.

**Provider:** One who sells a service (primarily client related).

**Purchase Order:** written agreement formalizing the terms and conditions under which a Vendor furnishes commodities or contractual services to the Department or an agency

**Request for Information:** a written or electronically posted request made by an agency to vendors for information concerning commodities or contractual services. Responses to these requests are not offers and may not be accepted by the agency to form a binding contract.

**Request for Proposals:** a written or electronically posted solicitation for competitive sealed proposals.

**Request for a Quote:** an oral, electronic, or written request for written pricing or services information from a state term contract vendor for commodities or contractual services available on a state term contract from that vendor.

**Responsible Vendor:** a vendor who has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance.



**Responsive Bid:** “responsive proposal,” or “responsive reply” means a bid, or proposal, or reply submitted by a responsive and responsible vendor which conforms in all material respects to the solicitation.

**Responsive Vendor:** a vendor that has submitted a bid, proposal, or reply that conforms in all material respects to the solicitation

**Service:** The mechanism or delivery for an identified needed element performed for the public’s benefit that does not include the manufacturing of goods. The performance of a task or tasks, which may include the use of a material good, a quantity of material goods, or time and effort.

**Simplified Acquisition Threshold:** means the dollar amount below which a non-Federal entity may purchase property or services using small purchase methods. Non-Federal entities adopt small purchase procedures in order to expedite the purchase of items costing less than the simplified acquisition threshold. The simplified acquisition threshold is set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions) and in accordance with 41 U.S.C. 1908. As of the publication of this part, the simplified acquisition threshold is \$250,000, but this threshold is periodically adjusted for inflation.

**Sole Source Purchases:** The purchasing of goods that is determined to be available from only one source.

**Subaward:** means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

**Subrecipient:** means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

**Vendor:** A person or company that sells a product, commodity, goods or services where the person/company operates in a competitive environment, does not directly determine client eligibility status, and where the products, goods, or services are ancillary to compliance requirements of federal programs.

## LEGISLATIVE DIRECTION

- **Office of Management and Budget; Part 200** – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
  - Establishes uniform administrative requirements, cost principles, and audit requirements for Federal awards to non-Federal entities.
  - Provides the basis for a systematic and periodic collection and uniform submission by Federal agencies of information on all Federal financial assistance programs to the Office of Management and Budget (OMB)
  - Sets forth the uniform administrative requirements for grant and cooperative agreements, including the requirements for Federal awarding agency management of Federal grant programs before the Federal award has been made, and the requirements Federal awarding agencies may impose on non-Federal entities in the Federal award. (2 CFR 200, Subpart B through D)
  - Establishes principles for determining the allowable costs incurred by non-Federal entities under Federal awards. (2 CFR 200, Subpart E)





- Sets forth standards for obtaining consistency and uniformity among Federal agencies for the audit of non-Federal entities expending Federal awards. (2 CFR 200, Subpart F)

➤ **Florida Statute Chapter 287** – Procurement of Personal Property and Services

- It is essential to the effective and ethical procurement of commodities and contractual services that there be a system of uniform procedures to be utilized by state agencies in managing and procuring commodities and contractual services; that detailed justification of agency decisions in the procurement of commodities and contractual services be maintained; and that adherence by the agency and the vendor to specific ethical considerations be required.
  - fair and open competition be recognized as a basic tenet of public procurement;
  - such competition reduces the appearance and opportunity for favoritism and inspires public confidence that contracts are awarded equitably and economically; and
  - Documentation of the acts taken and effective monitoring mechanisms are important means of curbing any improprieties and establishing public confidence in the process by which contractual services are procured.

➤ **Florida Statute Chapter 215** – Financial Matters: General Provisions

- Policies used by Communities Connected for Kids will comply with disclosure requirements for all agreements funded by federal and/or state monies passed-through the State Treasury.

➤ **Florida Administrative Code 60A-1** – General Regulations

- State rule(s) for purchasing describe how an entity may exercise its authority in procuring services. It describes the procurement process required for all types of contracts and incorporates the Office of Management and Budget Uniform Guidance (2 CFR 200)

These legislative guidelines outline the construct for Communities Connected for Kids's purchasing and procurement policy. Specific to Communities Connected for Kids's purchases and procurements are:

(a) General procurement standards

- 1) Use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this part.  
[2 CFR Part 200.318(a)]
- 2) Maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.  
[2 CFR Part 200.318(b)]
- 3) Maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. This conflict of interest



standard applies to all members of the Communities Connected for Kids Board of Directors. Parent(s), affiliate(s), or subsidiary organization(s) that are not state, local governments, or Indian tribes, will also maintain written standards of conduct covering organizational conflicts of interest.

[2 CFR Part 200.318(c)]

- 4) Avoid purchasing items that are duplicative or not necessary for the performance of activities required by federal award. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase.  
[2 CFR part 200.318(d)]
- 5) Perform lease vs. purchase analyses when appropriate to determine the most economical and practical choice.  
[2 CFR Part 200.318(d)]
- 6) When possible, use state and local inter-entity agreements to procure common or shared goods and services.  
[2 CFR Part 200.318(e)]
- 7) Use federal excess and surplus property instead of purchasing new equipment and property when possible and if such activity helps reduce program/project costs.  
[2 CFR Part 200.318(f)]
- 8) Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.  
[2 CFR Part 200.318(h)]
- 9) Maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.  
[2 CFR Part 200.318(i)]
- 10) A time and materials type contract will only be used when it has been determined that no other type of contract is suitable and the contract includes a ceiling cost that is exceeded only at the contractor's own expense. The costs for this contract type are comprised of the actual cost of materials and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.  
[2 CFR Part 200.318(j)]
- 11) The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.



[2 CFR Part 200.318(k)]

- 12) Conduct all procurement transactions in a manner that allows for full, open and fair competition.

[2 CFR Part 200.319]

Situations considered to be restrictive of competition in addressing procurement transactional requirements, as provided in the Uniform Guidance.

- (i) Placing unreasonable requirements on firms in order for them to qualify to do business;
- (ii) Requiring unnecessary experience and excessive bonding;
- (iii) Noncompetitive pricing practices between firms or between affiliated companies;
- (iv) Noncompetitive contracts to consultants that are on retainer contracts;
- (v) Organizational conflicts of interest;
- (vi) Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
- (vii) Any arbitrary action in the procurement process.

- 13) Not use state or geographical preferences in the evaluation of bids or proposals except where federal statutes mandates or encourages it.

[2 CFR Part 200.319(c)]

Have written procedures for procurement transactions that incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. [2 CFR Part 200.319(d)]

- 14) Should a prequalified lists of persons, firms, or products which are used in acquiring goods and services be developed, ensure that the list is current and includes enough qualified sources to ensure maximum open and free competition and not preclude potential bidders from qualifying during the solicitation period.

[2 CFR Part 200.319(e)]

- 15) Make purchases using one of the allowed methods of procurement, which include those listed below. Sealed bids and competitive proposals will be publicized, allowing sufficient time for response from an adequate number of respondents. Should any or all bids or proposals be rejected, documentation of the sound reasoning for the rejection will be maintained in the procurement record.

[2 CFR Part 200.320]

- (i) Micro-purchases
- (ii) Small Purchases
- (iii) Sealed Bid





- (iv) Competitive Proposals (with the exception of architectural/engineering professional services [2 CFR Part 200.320(b)2]
  - (v) Noncompetitive Proposals (sole source)
- 16) Take all necessary affirmative steps (as listed below) to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.  
[2 CFR Part 200.321]
- (i) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
  - (ii) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
  - (iii) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
  - (iv) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
  - (v) 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
  - (vi) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (i) through (v) of this section.
- 17) Comply with domestic preferences for procurement (i.e. iron, cement, aluminum, and lumber).  
[2 CFR Part 200.322]
- 18) Comply with instructions for procurement of recovered materials.  
[2 CFR Part 200.323]
- 19) Conduct a cost and price analysis requirements for procurement transactions.  
[2 CFR Part 200.324]
- (i) Applies at federal level for purchases in excess of simplified acquisition threshold (\$250,000)
  - (ii) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed.
  - (iii) Estimated costs for contracts will be negotiated using the Federal Cost Principles.
  - (iv) Cost-plus-a-percentage-of-costs method of contracting will not be used.
- 20) All related records must be available for inspection and review upon request by federal awarding agency or pass-through entity.  
[2 CFR Part 200.325]



- 21) Include all required/applicable contract provisions/disclosures described in Appendix II to Part 200 in writing.  
[2 CFR Part 200.326]
- 22) Must make case-by-case determinations whether each agreement it makes for the disbursement of Federal program funds casts the party receiving the funds in the role of a subrecipient or a contractor.  
[2 CFR Part 200.330]
- 23) The Federal awarding agency or pass-through entity must decide on the appropriate instrument for the Federal award (i.e., grant agreement, cooperative agreement, or contract).  
[2 CFR Part 200.201]
- 24) Subrecipients will be informed of the subaward and the relevant items of a Federal subaward. Subrecipients will receive the following items and all subsequent revisions to these items:  
[2 CFR Part 200.331(a)]
  - (i) Federal Award Identification.
    - Subrecipient name (which must match the name associated with its unique entity identifier);
    - Subrecipient's unique entity identifier;
    - Federal Award Identification Number (FAIN);
    - Federal Award Date (see §200.1 Federal award date) of award to the recipient by the Federal agency;
    - Subaward Period of Performance Start and End Date;
    - Amount of Federal Funds Obligated by this action by the pass-through entity to the subrecipient;
    - Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current obligation;
    - Total Amount of the Federal Award committed to the subrecipient by the pass-through entity;
    - Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA);
    - Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity;
    - CFDA Number and Name; the pass-through entity must identify the dollar amount made available under each Federal award and the CFDA number at time of disbursement;
    - Identification of whether the award is R&D; and
    - Indirect cost rate for the Federal award (including if the de minimis rate is charged per §200.414 Indirect (F&A) costs).
  - (ii) All requirements imposed by the pass-through entity on the subrecipient so that the Federal award is used in accordance with Federal statutes, regulations and the terms and conditions of the Federal award;
  - (iii) Any additional requirements that the pass-through entity imposes on the subrecipient in order for the pass-through entity to meet its own responsibility to the Federal awarding agency including identification of any required financial and performance reports;



- (iv) An approved federally recognized indirect cost rate negotiated between the subrecipient and the Federal Government or, if no such rate exists, either a rate negotiated between the pass-through entity and the subrecipient (in compliance with this part), or a de minimis indirect cost rate as defined in §200.414 Indirect (F&A) costs, paragraph (f);
  - (v) A requirement that the subrecipient permit the pass-through entity and auditors to have access to the subrecipient's records and financial statements as necessary for the pass-through entity to meet the requirements of this part; and
  - (vi) Appropriate terms and conditions concerning closeout of the subaward.
- 25) Characteristics indicative of a procurement relationship between the non-Federal entity and a contractor are when the contractor:
- [2 CFR Part 200.331(b)]
- (i) Provides the goods and services within normal business operations;
  - (ii) Provides similar goods or services to many different purchasers;
  - (iii) Normally operates in a competitive environment;
  - (iv) Provides goods or services that are ancillary to the operation of the Federal program; and
  - (v) Is not subject to compliance requirements of the Federal program as a result of the agreement, though similar requirements may apply for other reasons.
- 26) Evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring described in item 25) of this section, which may include consideration of such factors as:
- [2 CFR Part 200.332(b)]
- (i) The subrecipient's prior experience with the same or similar subawards;
  - (ii) The results of previous audits including whether or not the subrecipient receives a Single Audit and the extent to which the same or similar provider has been audited as a major program;
  - (iii) Whether the subrecipient has new personnel or new or substantially changed systems; and
  - (iv) The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a Federal awarding agency).
- 27) Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Monitoring must include:
- [2 CFR Part 200.332(d)]
- (i) Reviewing required financial and performance reports.
  - (ii) Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies detected through audits, on-site reviews, and other means.
  - (iii) Issuing a management decision for audit findings pertaining to the Federal award provided to the subrecipient as required by §200.521 Management decision.
- 28) Verify the every subrecipient is audited in compliance with [2 CFR Part 200 Subpart F – Audit Requirements] when the fiscal year threshold has been met or exceeded. Review subrecipient



audits upon receipt and determine if deficiencies in their financial practices indicate conditions necessitating adjustments with Communities Connected for Kids financial records. Consider action against noncompliance by a subrecipient.

[2 CFR Part 200.332(f) – (h)]

29) Requirements for sealed bid and competitive proposals:

[2 CFR Part 200.320]

Verify procurement files include all of the following items:

- Public notice
- Copy of RFP
  - Technical Requirements
  - Statement of Work
  - Cost Requirements
  - Evaluation Criteria
- Proposals Submitted
- Evaluation of Proposals
- Board Approval of Contracts (as applicable)
- Contract Negotiations (*if different than proposed price*)
  - Award of contract to lowest bidder who met the technical requirements/specifications for sealed bids and the responsible firm whose proposal is most advantageous to the program, with price and other factors considered for competitive proposals.

30) Requirements for small purchases

[2 CFR Part 200.439(b)(2) 2 CFR Part 200.302(b)(3); 2 CFR Part 200.320(a)]

Verify files include all of the following items:

- Prior approval for equipment purchases in excess of the lesser of (1) \$5,000 or (2) the entity's approved capitalization threshold
- Documentation of small purchase transactions by one or more of the following items:
  - Sales receipt
  - Current catalogs
  - Formal quote
- Files indicate the entity obtained price or rate quotations from an adequate number of qualified sources.
  - Review documentation of written or telephone quotes
  - Determine if documentation is adequate and the number of quotes obtained is sufficient in accordance with entity policies and procedures

31) Micro-purchase transactions should comply with good purchasing practices per state purchasing guidance.

[2 CFR Part 200.320(a)]



32) Requirements for professional services [2 CFR Part 200.459]

To help determine allowability of these costs, Entity files will document:

- The nature and scope of the service rendered in relation to the service required;
- The need to contract for the service, considering the Entity's capability in the particular area;
- The past pattern of such costs, particularly in the years prior to Federal awards;
- The impact of Federal awards on the non-Federal entity's business (i.e. what new problems have arisen), if applicable;
- Whether the decision is business-based and not made just because grant monies are available to fund the cost (instead of other Entity revenues);
- If the service can be performed more economically by direct employment rather than contracting;
- The qualifications of the individual or concern rendering the service and the customary fees charged, especially on non-federally funded activities; and
- Adequacy of the contractual agreement for the service (e.g., description of the service, estimate of time required, rate of compensation, and termination provisions).
- In addition, retainer fees must be supported by evidence of bona fide services available or rendered.

33) Required contents for Procurement files [DMS State Purchasing Memo No. 01 (2012-13); State Purchasing, Ch. 60A-1, FAC, s.216.3475, F.S.; FDOE Contract Training Manual]

1) Planning/procurement files must obtain/document the following elements:

- (i) Purchase order must have at least one written quote or written records of telephone quote;
- (ii) At least one quote should be from a CMBE or else document why this quote was not obtained;
- (iii) Cost analysis is required, since a competitive process won't be used for most small dollar purchases;
- (iv) Rationale for method of procurement;
- (v) Selection of contract type;
- (vi) Contractor selection or rejection; and
- (vii) The basis for the contract price.

2) Purchase orders, contracts or other agreement files must obtain/document the following elements:

- (i) Quantity, description, price, applicable payment terms, applicable discount(s), date of performance, transportation/shipping arrangements, and other pertinent information.





- (ii) Additional purchase order terms/disclosures, required regardless of the scoped goods/services.
    - Liquidated damages/financial consequences
    - Payment audit (records of costs will be available upon request)
    - Payment made after written "agency" acceptance
    - Payment timeframe – timely payments
    - Funding availability/annual appropriation
    - No lobbying
    - Public access/public records
    - Conduct of business – federal/state laws govern
    - Conflict of interest/related party activities
    - Confidentiality and safeguarding information
  - (iii) Other/additional terms may also apply based on scoped goods/services.
  - (iv) If credit card transactions occur all the standards noted here will still apply.
- 34) Additional federal considerations [2 CFR Part 200.326; 2 CFR Part 200 Appendix II]  
For transactions funded by federal programs, additional disclosures are required regardless of scoped/services.
- 1) Debarment and suspension provision(s).
  - 2) Equal Employment Opportunity provision.
  - 3) Other/additional terms may also apply based on scoped goods/services.
- 35) Requirements for sole source or other non-competitive proposals [2 CFR Parts 200.320(f) and 200.323; s. 216.3475, F.S.]
- 1) Documentation of entity's determination criteria for a sole-sourced transaction due to:
    - The item is only available from one single source;
    - The public emergency precludes delay resulting from competitive solution
    - Department of Children and Families gave written authorization for non-competitive proposals; or
    - After solicitation of a number of sources, competition is determined inadequate.
  - 2) Cost analysis, (i.e., verifying the proposed scope of work or goods/services data and the evaluation of the specific elements of costs and negotiating profit (if applicable)) is required. *Note: Grant rules state this is a mandatory task for sole source procurement. A cost/price analysis should be completed by staff prior to receiving any bid or fee information.*
- 36) Will not procure, extend or renew a contract to procure or obtain equipment, services or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, as described in Public Law 115-232, section 889. Covered telecommunications equipment is telecommunications



equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

37) Procurement files – required retention instructions [2 CFR Parts 200.334 – 200.338]

- 1) All records must be maintained for five (5) years after the impacted program year, if “closed.”
- 2) Records retention schedules apply regardless of the physical format of entity records.
- 3) Wherever practicable records should be collected, transmitted and/or stored in open and machine readable formats.
- 4) Federal and state awarding agencies have the right to access any documents pertinent to federal/state awards.
- 5) Communities Connected for Kids shall comply with the records retention requirements in Florida. The General Records Schedule GS1-SL for State and Local Government Agencies is located at <http://dos.myflorida.com/library-archives/records-management/general-records-schedules/>.

DocuSigned by:

*Carol Deloach*

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Approved: \_\_\_\_\_

Carol Deloach, CEO

Date: 5/12/2022