

Provident Charter School

**PROCUREMENT PLAN  
CHILD NUTRITION PROGRAMS**

This procurement plan contained on the following pages will be implemented on **2/25/26** and will be in effect until amended. All procurements must adhere to full and open competition. Source documentation must be available to determine open competition, and the reasonableness, allowability and allocation of costs.

**Provident Charter School**

PROCUREMENT PLAN

**General**

1. The Provident Charter School plan for procuring goods and services for use in the Child Nutrition Programs is as follows. The procurement plan provides for full and open competition, transparency in transactions, comparability, and documentation of all procurement activities.
  
2. The following procedures will be used for all purchases:

Procurement Chart

<b>Program</b>	<b>School Nutrition Programs (SNP)</b>	<b>Summer Food Service Program (SFSP)</b>	<b>Child and Adult Care Food Program (CACFP)</b>	
	<b>Amount</b>	<b>Amount</b>	<b>Amount</b>	<b>Method</b>
<b>Services and Perishable Products</b>	≤\$15,000	≤\$15,000	≤\$15,000	Micro
	>\$15,000 - ≤\$350,000	>\$15,000 - ≤\$350,000	>\$15,000 - ≤\$350,000	Informal
	>\$350,000	>\$350,000	>\$350,000	Formal
	<b>Amount</b>	<b>Amount</b>	<b>Amount</b>	<b>Method</b>
<b>Non-Perishable Products</b>	≤\$13,200	≤\$15,000	≤\$15,000	Micro
	>\$13,200 - <\$24,500	>\$15,000 - ≤\$350,000	>\$15,000 - ≤\$350,000	Informal
	≥\$24,500	>\$350,000	>\$350,000	Formal
	<b>Amount</b>	<b>Amount</b>	<b>Amount</b>	<b>Method</b>
<b>Vended Meals</b>	N/A	N/A	N/A	Micro
	≤\$350,000	≤\$350,000	≤\$350,000	Informal
	>\$350,000	>\$350,000	>\$350,000	Formal
	<b>Amount</b>	<b>Amount</b>	<b>Amount</b>	<b>Method</b>
<b>Full- Service FSMC</b>	N/A	N/A	N/A	Micro
	N/A	N/A	N/A	Informal
	>\$0	N/A	N/A	Formal
<b>Notes</b>	Non-Perishable: Canned goods, dry goods, supplies, equipment, etc.			
	Equipment ≥\$10,000 must have prior approval from the Bureau of Food and Nutrition (BFN).			
	<b>Procurement Method and Procedure</b>			
	Micro-purchase: Non-competitive			
	Simplified acquisition (Informal/Small): Quotes (3 quotes for SNP, 2 quotes for SFSP and CACFP)			
	Formal/Large: Invitation for Bid (IFB) or Request for Proposal (RFP)			

3. The Food Service Director is responsible for documenting all Formal, informal, and Micro purchases. And will use the correct procurement. Provident is responsible for all Procurement including what is in the PRFSD Co-operative
4. The SFA agrees to retain all books, records, and other documents relative to the award of all contracts for **three** (3) years plus current school year after final payment. Specifically, the SFA shall maintain, at a minimum, the following documents:
  - Written rationale for the method of procurement
  - A copy of the original solicitation
  - The selection of contract type
  - The bidding and negotiation history and working papers
  - The basis for contractor selection
  - The basis for award cost or price
  - The terms and conditions of the contract
  - Any changes to the contract and negotiation history
  - Billing and payment records
  - A history of any contractor claims or breaches
5. The Food Service Director will be responsible for maintaining all procurement documentation.

### **Formal/Large Purchases**

When formal procurement is required, the following Competitive Sealed Bid/Invitation for Bid (IFB) or Competitive Proposal/Request for Proposal (RFP) procedures will apply:

1. The Food Service Director will perform a cost or price analysis in connection with every procurement action in excess of the Pennsylvania School Code requirements or federal Simplified Acquisition Threshold.
2. The developer of written specifications or descriptions for procurements will be prohibited from submitting bids or proposals for such products or services.
3. The IFB or RFP will clearly define the purchase conditions. The following list includes requirements, not exclusively, to be addressed in the procurement document:
  - Specifications and estimated quantities of products and services
  - Contract period
  - Terms and conditions that bidder must fulfill for bid to be evaluated
  - Method of evaluation and type of contract to be awarded
  - Date, time, and location of bid opening which will take place 2 weeks after the date of the last advertisement
  - How vendor is to be informed of bid acceptance or rejection /method of award announcement
  - Delivery schedule and method of shipment or delivery upon contract award
  - Benefits to which **Provident Charter School** will be entitled if the contractor cannot or will not perform as required
  - Statement assuring positive efforts will be made to involve small, minority and women's business enterprises and labor surplus firms
  - Statement regarding the return of purchase incentives, discounts, rebates, and credits to the SFA's nonprofit school food service account
  - Statement that the SFA is responsible for contract(s) awarded
  - Provision requiring "Buy American" as outlined in 7 CFR Part 210.21(d)
  - Price adjustment clause (escalation/de-escalation) based on appropriate standard or cost index

- Provision requiring access by duly authorized representatives of the SFA, State Agency, United States Department of Agriculture, or Comptroller General to any books, documents, papers and records of the contractor which are directly pertinent to all negotiated contracts
  - Provision requiring contractor to maintain all required records for **three** (3) years after final payment and all other pending matters (e.g. audits) are closed for all negotiated contracts
  - Provision requiring contractors to recognize mandatory standards/policies related to energy efficiency contained in the State Energy Plan issued in compliance with the Energy Policy and Conservation Act (PL 94-165)
  - Signed statement of non-collusion
  - Signed Debarment/Suspension Certificate or statement included in contract or copy of Excluded Parties List System (EPLS)
  - Specific bid protest procedures
  - If any potential vendor is in doubt as to the true meaning of specifications or purchase conditions, interpretation will be provided in writing to all potential bidders by Food Service Director in a timely manner
  - The Food Service Director will be responsible for securing all bids or proposals
  - The Food Service Director will be responsible to ensure all SFA procurements are conducted in compliance with applicable Federal, State, and local procurement regulations
  - The following criteria will be used in awarding contracts as a result of bids/proposals:
    - o Price
    - o Quality
    - o Delivery
    - o Installation
4. Each vendor will be given an opportunity to bid on the same specifications.
  5. For all formal purchases, an announcement of an IFB or RFP will be placed in at least two (2) newspapers to publicize the intent of the SFA to purchase needed items. The advertisement for bids/proposals or legal notice will be run one (1) time each week for three (3) weeks.
  6. The announcement will contain the:
    - general description of item(s) to be purchased
    - date of pre-bid meeting, if provided, and if attendance is a requirement for bid award
    - deadline for submission of sealed bids or proposals, and
    - address of location where complete specification(s) and bid form(s) may be obtained
  7. In awarding a competitive proposal (RFP), a set of award criteria in the form of a weighted evaluation sheet will be provided to each bidder in the initial bid document. Price alone is not the sole basis for award but remains the primary consideration when awarding a contract. Following evaluation and negotiations, a firm fixed price or cost reimbursable contract is awarded.
  8. The contracts will be awarded to the bidder/proposer responsible whose bid or proposal is responsive to the invitation and is most advantageous to the SFA with price and other factors considered. Any and all bids or proposals may be rejected in accordance with law.
  9. The Food Service Director will be required to sign the bid tabulation of competitive sealed bids or the evaluation criteria score sheet of competitive proposals signifying a review and approval of the selections.

10. The Food Service Director will be responsible for documenting that the actual product specified is received.
11. Any time an accepted item is not available, the Food Service Director will select an acceptable alternate. The contractor must inform the Food Service Director within 7 days if a product is not available.
12. Full documentation as to the reason for an accepted item was unavailable, and the procedure used in determining acceptable alternates will be available for audit and review. The person responsible for this documentation is the Food Service Director
13. The Food Service Director will be responsible for compliance with the Buy American Provision. In the event a non-domestic agricultural product is to be provided to the SFA, the contractor must obtain, in advance, written approval of the product.

### **Simplified Acquisitions (Informal/Small Purchases)**

If the amount of purchases for items is less than the district's simplified acquisition (small purchase) threshold, simplified acquisition (informal/small) purchase procedures will be used. Quotes from an adequate number of qualified sources will be required.

1. Written specifications will be prepared.
2. A minimum of three vendors shall be contacted unless the market warrants more. The Food Service Director will be responsible for contacting potential vendors when price quotes are needed.
3. Each vendor will be given an opportunity to provide a price quote on the same specifications.
4. The price quotes will receive appropriate confidentiality before award.
5. Award will be based on the following criteria:
  - Price
6. After evaluation of submitted quotes, the Food Service Director will be responsible for notification of award.
7. The Food Service Director will be responsible for documentation of records to show selection of vendors, reasons for selection, names of all vendors contacted, price quotes from each vendor, and written specifications.
8. The Food Service Director will be responsible for documenting that the product specified is received.
9. Any time an accepted item is not available, the Food Service Director will select the acceptable alternate. The vendor must inform the Food Service Director within 7 days if a product is not available.
10. Full documentation as to the reason an accepted item was unavailable, and the procedure used in determining acceptable alternates, will be available for audit and review. The person responsible for this documentation is the Food Service Director.

11. The Food Service Director will be responsible for compliance with the Buy American Provision. In the event a non-domestic agricultural product is to be provided to the SFA, the contractor must obtain, in advance, written approval of the product.

### **Micro-Purchases**

If the amount of a purchase is less than or equal to the micro-purchase threshold, then micro-purchase procedures may be used.

1. The Food Service Director Will document purchases, and the reason why purchases were needed. Selection of vendors and reasonable cost.
2. The Food Service Director will ensure that micro-purchases are spread equitably.
3. All Micro Purchases must be reasonable and documentation is required to Prove it.

### **Noncompetitive Procurement**

If items are available only from a single source - when the award of a contract is not feasible under informal/small purchase, sealed bid or competitive proposal - non-competitive procedures may be used.

1. Written specifications will be prepared.
2. The Food Service Director will be responsible for the documentation of records to fully explain the decision to use noncompetitive procurement. The records will be available for audit and review.
3. The Food Service Director will be responsible for documentation that the actual product or service specified was received.
4. The Food Service Director will be responsible for reviewing the procedures to be certain all requirements for using single source or noncompetitive procedures are met.

### **Capital Expenditure**

The Food Service Director will submit a capital expenditure request in PEARS prior to any purchase of equipment with a unit price of \$10,000 or more, if the equipment:

- Is not on the approved list created by PDE, or
- Is on the approved list but will not be used solely for food service purposes.

### **Minority Businesses, Veteran-owned Business, Women's Business Enterprises, Labor Surplus Area Firms**

Provident Charter School will take affirmative steps to assure that minority businesses, veteran-owned and women's business enterprises, and labor surplus firms are used when possible. These steps include:

- Placing qualified small and minority businesses, veteran-owned and women's business enterprises on solicitation lists

- Assuring that small and minority businesses, veteran-owned and women's business enterprises are solicited whenever they are potential sources
- Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, veteran-owned and women's business enterprises
- Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, veteran-owned and women's business enterprises
- 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

### **Emergency or “Pressing Need” Purchases**

1. If it is necessary to make a one-time emergency procurement to continue service or obtain goods, the purchase shall be made, and a log of all such purchases shall be maintained by the Food Service Director. All emergency procurements shall be approved by the CEO. At a minimum, the following emergency procurement procedures shall be documented:
  - item name
  - dollar amount
  - vendor
  - reason for emergency
2. If it is necessary, in the course of a pressing need, to make an emergency purchase by “piggybacking” on the bid of another SFA, the Food Service Director will be responsible for following procedures as outlined under the Miscellaneous Provisions section of this document.
3. Documentation of the emergency requiring the piggybacking will be maintained

### **Miscellaneous Provisions**

1. New product evaluation procedures will include:
  - Product
  - Cost
  - reasonableness of the purchase
  - a. Note: The micro-purchase method can be used for one-time purchases of a new food item to determine food acceptance by students and for samples for testing purposes as long as the purchase does not exceed \$15,000.
2. The SFA agrees that the reviewing official of each transaction will be the Food Service Director .
3. Payment will be made to the vendor when the contract requirements have been met and verified and have met the SFA’s procedures for payment (e.g. if prompt payment is made, discounts, etc. are accepted).
4. Specifications will be updated as needed.
5. If product received is not as specified, the following procedure will take place:
  - review that the item received is similar to what was requested
  - If product is different it will be sent back
6. If making a purchase by “piggybacking” on the bid/contract of another SFA, the conditions listed below must exist, and approved procedures must be followed and appropriately documented as follows:

- The SFA originating the competitive procurement must have a “piggyback provision” in the original solicitation
- The contract must have been procured in compliance with all applicable procurement regulations
- Approval from the purchasing SFA’s governing board will be obtained and documented
- Approval from the SFA that originated the competitive procurement will be obtained and documented
- Approval from the vendor that was awarded the contract (original solicitation) will be obtained and documented
- If required, a public notice of the district’s “*Intent to Waive Competitive Bidding*” will be issued at least 10 days prior to the regularly scheduled governing board meeting
- Approval to piggyback will be obtained and documented from the governing board during a regularly scheduled meeting following the public notice
- Notification to the vendor of final approval will be documented and issued
- A contract with the vendor will be developed including:
  - The contractor shall agree to retain all books, records, and other documents relative to the contract agreement for three (3) years after final payment, or until audited by the SFA, whichever is sooner.
  - The SFA, its authorized agents, and/or State and/or USDA auditors shall have full access to and the right to examine any of said materials during said period.