

Hope Academy of West Michigan

Procurement Procedures for Child Nutrition Programs

Instructions:

- Sponsors can use this form to identify their procurement plan for the U.S. Department of Agriculture's (USDA) school nutrition programs. School Nutrition Programs include the National School Lunch Program (NSLP), School Breakfast Program (SBP), Afterschool Snack Program (ASP), Special Milk Program (SMP), Fresh Fruit and Vegetable Program (FFVP), and Seamless Summer Option (SSO) of the NSLP.
- Sponsors should read each section to make sure it represents the way they do business.
- Change each highlighted yellow section and delete this instruction page.
- This form is a sample and may not be all-inclusive. The Sponsor is ultimately responsible for ensuring that all procurement procedures comply with all federal regulations, state procurement code and regulations, and local procurement policies.

Non-Discrimination Statement:

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

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: [USDA Program Discrimination Complaint Form](#), 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

This institution is an equal opportunity provider.

Procurement Procedures for Child Nutrition Programs

Hope Academy of West Michigan

The procurement procedures contained on the following pages 3 through 11 will be implemented beginning May 18, 2026, until amended. All procurements must maximize full and open competition. Source documentation must be available to determine open competition, the reasonableness, the allowability and the allocation of costs.

Hope Academy of West Michigan intentionally seeks to prohibit conflicts of interest in all procurement of goods and services. The code of conduct is identified in section G herein.

President, Board of Education	Date
Superintendent	Date

Hope Academy of West Michigan

Procurement Procedures

A. General Procurement

1. Hope Academy of West Michigan's plan for procuring items for use in the Child Nutrition Programs is as follows. The procurement procedures maximize full and open competition, transparency in transactions, comparability, and documentation of all procurement activities.
2. If the amount of purchases is more than the federal small purchase service threshold currently valued at \$250,000 or Sponsor approved threshold if less, formal procurement procedures will be used as required by [2 CFR 200.318-.326](#) and any local procurement code and regulations. Informal procurement procedures (small purchase) will be required for purchases under the most restrictive small purchase threshold.
3. Formal bid procedures will be applied on the basis of (*check all that apply*):
 - centralized system
 - individual school
 - multi-school system
 - state contract
 - combination of above (specify) _____

4. When purchasing, it will be the responsibility of the Executive Director of the Business Office to document the amounts to be purchased so the correct method of procurement will be followed.

B. Formal Procurement

When a formal procurement method is required, the following competitive sealed bid or an Invitation for Bid (IFB) or competitive proposal in the form of a Request for Proposal (RFP) procedures will apply:

1. An announcement of an IFB or a RFP will be placed in a local newspaper and on the school website to publicize the intent of the Sponsor to purchase needed items. The advertisement for bids/proposals or legal notice will be run for at least two (2) weeks.
2. An advertisement is required for all purchases over the Hope Academy of West Michigan small purchase threshold of \$150,000. The announcement (advertisement or legal notice) will contain:
 - general description of items to be purchased;
 - deadline for submission of questions and the date written responses will be provided, including addenda to bid specifications, terms, and conditions as needed;
 - 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 specifications and bid forms may be obtained.
3. In an Invitation for Bid (IFB) or Request for Proposal (RFP), each vendor will be given an opportunity to bid on the same specifications.
 4. The developer of written specifications or descriptions for procurements will be **prohibited** from submitting bids or proposals for such products or services.
 5. The Invitation for Bid (IFB) or Request for Proposal (RFP) will clearly define the purchase conditions. The following list includes requirements, not exclusive, to be addressed in the procurement document:
 - contract period;
 - Hope Academy of West Michigan is responsible for all contracts awarded (statement);
 - date, time, and location of IFB/RFP opening;
 - how vendor is to be informed of bid acceptance or rejection;
 - delivery schedule;
 - requirements (terms and conditions) that bidder must fulfill in order for bid to be evaluated;
 - benefits to which the Hope Academy of West Michigan will be entitled if the contractor cannot or will not perform as required;
 - statement assuring positive efforts will be made to involve minority and small business;
 - statement regarding the return of purchase incentives, discounts, rebates, and credits to Hope Academy of West Michigan's nonprofit school food service account;
 - contract provisions as required in [Appendix II to 2 CFR 200](#);
 - contract provisions as required in [7 CFR 210.21\(f\)](#) for all cost reimbursable contracts;
 - contract provisions as required in [7 CFR 210.16\(a\)\(1-10\)](#) and [7 CFR 250.53](#) for food service management company contracts;
 - procuring instrument to be used are purchase orders from firm fixed prices after formal bidding;
 - price adjustment clause (tied to a standard index, i.e., consumer price index, or other as stated in terms and conditions for pricing and price adjustments);
 - method of evaluation and type of contract to be awarded (solicitations using an IFB are awarded to the lowest responsive and responsible bidder; solicitations using a RFP are awarded to the most advantageous bidder/offeror with price as the primary factor among factors considered);
 - method of award announcement and effective date (if intent to award is required by state or local procurement requirements);
 - specific bid protest procedures including contact information of person and address and the date by which a written protest must be received;
 - provision requiring access by duly authorized representatives of the Sponsor, CSDE, United State Department of Agriculture, or Comptroller General to any books, documents, papers, and records of the contractor which are directly pertinent to all negotiated contracts;

- method of shipment or delivery upon contract award;
 - provision requiring contractor to maintain all required records for three years after final payment and all other pending matters (audits) are closed for all negotiated contracts
 - description of process for enabling vendors to receive or pick up orders upon contract award;
 - provision requiring the contractor to recognize mandatory standards/policies related to energy efficiency contained in the [Energy Policy and Conservation Act \(PL 94-163\)](#);
 - signed statement of non-collusion;
 - signed [Debarment/Suspension Certificate](#), clause in the contract or a copy of search results from the [System for Award Management \(SAM\)](#);
 - provision requiring “Buy American” as outlined in [7 CFR Part 210.21\(d\)](#) and [USDA Memo SP 24-2016](#); and
 - specifications and estimated quantities of products and services prepared by the Hope Academy of West Michigan and provided to potential contractors desiring to submit bids/proposals for the products or services requested.
6. 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 Executive Director of the Business Office and will specify the deadline for all questions.
- The Executive Director of the Business Office will be responsible for securing all bids or proposals.
 - The Executive Director of the Business Office will be responsible to ensure all Hope Academy of West Michigan 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. Price must be the highest weighted criteria. Examples of other possible criteria include quality, service, delivery, and availability.
7. In awarding a Request for 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 materials. Price alone is not the sole basis for award but remains the primary consideration among all factors when awarding a contract. Following evaluation and negotiations, a firm fixed price or cost reimbursable contract is awarded.
- The contracts will be awarded to the responsible bidder/proposer whose bid or proposal is responsive to the invitation and is most advantageous to the Hope Academy of West Michigan, price as the primary and other factors considered. Any and all bids or proposals may be rejected in accordance with the law.
 - Executive Director of the Business Office is required to sign on the bid tabulation of competitive sealed bids or the evaluation criterion score sheet of competitive proposals signifying a review and approval of the selections.
 - Executive Director of the Business Office reviews the procurement system to ensure compliance with applicable laws.
 - Executive Director of the Business Office is responsible for documentation the actual product specified is received.

- Any time an accepted item is not available, the Executive Director of the Business Office will select the acceptable alternate. The contractor must inform Executive Director of the Business Office at minimum of 48 hours if a product is not available. In the event a nondomestic agricultural product is to be provided to the Hope Academy of West Michigan, the contractor must obtain, in advance, written approval for the product. The Executive Director of the Business Office must comply with the Buy American Provision.
- Full documentation regarding 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 Executive Director of the Business Office.
- The Executive Director of the Business Office responsible for maintaining all procurement documentation.

C. Small Purchase Procedures

If the amount of purchases for items is less than the district's small purchase threshold, the following small purchase procedures including quotes will be used. Quotes from an adequate number of qualified sources will be required.

1. Written specifications will be prepared and provided to the vendor.
2. Each vendor will be contacted and given an opportunity to provide a price quote on the same specifications. A minimum of two vendors shall be contacted.
3. The Executive Director of the Business Office will be responsible for contacting potential vendors when price quotes are needed.
4. The price quotes will receive appropriate confidentiality before award.
5. Quotes will be awarded by Executive Director of the Business Office. Quotes will be awarded to the lowest and best quote based upon price, quality, service, delivery, and availability.
6. The Executive Director of the Business Office will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, and written specifications.
7. The Executive Director of the Business Office will be responsible for documentation that the actual product specified is received.
8. Any time an accepted item is not available, the Executive Director of the Business Office will select the acceptable alternate. Full documentation will be made available as to the selection of the acceptable item.

9. Bids will be awarded on the following criteria. Price must be the highest weighted criteria. Examples of other possible criteria include quality, service, delivery, and availability.

Price
Communication
Management Support
Problem Resolution
Training Programs

10. The Executive Director of the Business Office is required to sign all quote tabulations, signifying a review and approval of the selections.

D. Noncompetitive Proposal Procedures

If items are available **only** from a single source when the award of a contract is not feasible under small purchase, sealed bid or competitive negotiation, noncompetitive proposal procedures will be used:

1. Written specifications will be prepared and provided to the vendor.
2. The Executive Director of the Business Office will be responsible for the documentation of records to fully explain the decision to use the noncompetitive proposal. The records will be available for audit and review.
3. The Executive Director of the Business Office will be responsible for documentation that the actual product or service specified was received.
4. The Executive Director of the Business Office will be responsible for reviewing the procedures to be certain all requirements for using single source or noncompetitive proposals are met.
5. Noncompetitive proposals shall be used for one-time purchases of a new food item to determine food acceptance by students and provide samples for testing purposes. A record of noncompetitive negotiation purchase shall be maintained by the Executive Director of the Business Office. At a minimum, the record of noncompetitive purchases shall include:
 - item name;
 - dollar amount;
 - vendor; and
 - reason for noncompetitive procurement.
6. A member or representative of the local board of education or governing board will approve, in advance, all procurements that result from noncompetitive negotiations.

E. Miscellaneous Provisions

1. New product evaluation procedures will include (e.g., evaluation of product labels, student taste-tests):

2. Hope Academy of West Michigan agrees that the reviewing official of each transaction will be the Executive Director of the Business Office.
3. Payment will be made to the vendor when the contract has been met and verified and has met Hope Academy of West Michigan s procedures for payment. (If prompt payment is made, discounts, etc., are accepted.)
4. Specifications will be updated as need.
5. If product is not as specified, the following procedure will take place (e.g., remove product from service, contact vendor for approved alternate product, remove product from bid):

F. Emergency Purchases

1. If it is necessary to make a one-time emergency procurement to continue service or obtain goods, the purchase must be authorized using a purchase order signed by the Executive Director of the Business Office. The following emergency procedures shall be followed. All emergency procurements shall be approved by the Executive Director of the Business Office. At a minimum, the following emergency procurement procedures shall be documented:
 - item name;
 - dollar amount;
 - vendor; and
 - reason for emergency.

2. If it is necessary, in the course of a pressing need, to make an emergency purchase by means of “piggybacking” on the bid of another district, the following conditions must exist and approved procedures must be followed and appropriately documented as follows:
 - The Sponsor originating the competitive procurement must have a “piggyback provision” in the original solicitation;
 - Documentation of the emergency requiring the piggybacking must be maintained;
 - Approval from the purchasing Sponsor’s governing board will be obtained and documented;
 - Approval from the Sponsor 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;
 - 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; and
 - A contract with the vendor will be developed. 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 Sponsor, whichever is sooner. The Sponsor, 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.

3. The Sponsor shall agree to retain all books, records, and other documents relative to the award of the contract for three (3) years after final payment. If there are audit findings that have not been resolved, the records shall be retained beyond the 3-year period as long as required for the resolution of the issues raised by the audit. Specifically, the Sponsor 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;
 - approval from the state agency to support a lack of competition when competitive bids or offers are not obtained;
 - 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; and
 - a history of any contractor breaches.

G. Code of Conduct

The following conduct will be expected of all persons who are engaged in the awarding and administration of contracts supported by school nutrition program funds. These written standards of conduct include:

1. No employee, officer or agent of Hope Academy of West Michigan or Integrity Educational Services shall participate in the selection or in the award or administration of a contract supported by program funds if a conflict of interest, real or apparent, would be involved. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award:
 - the employee, officer or agent;
 - any member of the immediate family;
 - his or her partner;
 - an organization which employs or is about to employ one of the above.
2. Hope Academy of West Michigan or Integrity Educational Services' employees, officers, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.
3. Penalties for violation of the standards of code of conduct of Hope Academy of West Michigan's school nutrition programs should be:
 - reprimand by Board of Education;
 - dismissal by Board of Education and any legal action necessary.
4. Bid Protest Policy - **Sponsor's Bid Protest policy and/or procedures**