



West Virginia DEPARTMENT OF
EDUCATION

Office of Child Nutrition

Child Nutrition Grants and Procurement

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Child Nutrition

- Child Nutrition Grants
- Supply Chain Assistance Grants – Round 4
- Procurement



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Child Nutrition Grants

- Backpack Grants
 - 2 million allocated each year.
 - Allocated to all NSLP sponsors based on the BOE's number of needy students at the start of each school year.
 - Specifically for non-traditional feeding of students and cannot be used for normal meal costs.
 - Each BOE submits a proposal on their spending plan to be approved by the Office of Child Nutrition.
 - Funding authorized by the Governor's office and will continue each year for as long as we continue to receive the annual allocation.



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Child Nutrition Grants

- State Revenue Matching
 - Made available to all Child Nutrition Sponsors in April of each year.
 - Primary of purpose of funding is to purchase needed equipment for your Child Nutrition Program.
 - This grant has a two-year performance period, allowing BOEs time to plan and execute the spending of the funds.
 - **For example, funding received in April 2023 will not expire until June 30, 2025.**



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Child Nutrition Grants

- SY 23 – USDA Equipment Assistance Grants
 - Made available each year and is a competitive grant process.
 - Available to all NSLP sponsors, including private schools, RCCI's, and Charters.
 - Sponsors must complete the USDA approved application to be considered.
 - The 2023 grant amount is not known at this time, but is usually in the 200-250,000 range. It is a small amount, so all BOE's likely will not receive funding every year.
 - BOE's are allowed up to 5 applications.
 - Total award to each BOE cannot exceed \$20,000.
 - Paid invoice must be submitted prior to funding being released.
 - FY2023 grant application should be available in November 2023, but is subject to receiving grant funds from the USDA.



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Child Nutrition Grants

- USDA Supply Chain Assistance Grant – Round 4
 - USDA has made available an additional \$7.5 million to WV Child Nutrition Sponsors to assist with supply chain issues/challenges.
 - Funds will be dispersed to sponsors based on each sponsor's enrollment compared to the state enrollment.
 - BOEs can expect to see these funds in late August or early September 2023, but that timeline is subject to receiving the funding from the USDA.
 - This grant will come with a 2-year performance period ending on September 30th 2026.
 - Like the prior supply chain grants – these funds must be spent on unprocessed or minimally processed food items.
- **Labor is not an allowable expense for these funds.**



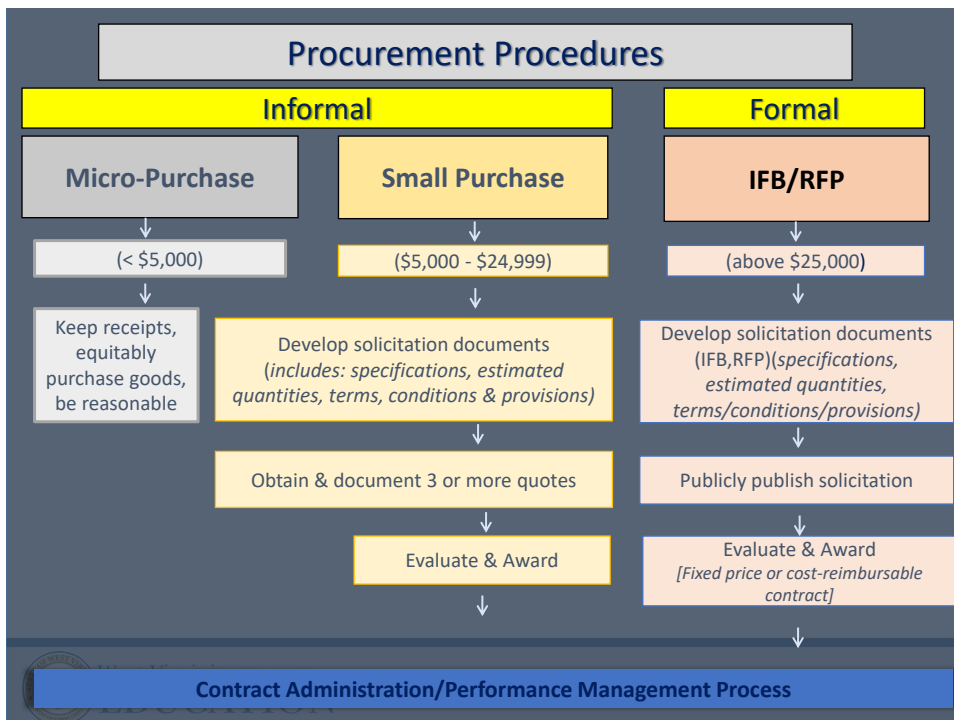
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Child Nutrition Grants

- The 2nd round of Supply Chain Assistance grants was setup with an expiration date of September 30th 2023.
- If you still have a balance remaining in this grant, we can issue an extension.
- To request an extension, send an email to me at acrago@k12.wv.us with the grant award number and answers to the following three questions:
 - What amount of grant funds do you have remaining?
 - How do you plan to spend the remaining grant funds?
 - When do you plan to have the grant funds fully spent?



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Micro-Purchase

- Procurement by micro-purchase is the acquisition of food, supplies or services not exceeding \$5,000; may be awarded without soliciting competitive bids if price is reasonable.
- School Districts cannot intentionally divide purchases if the only justification is to keep the price below the federal, state, or local small-purchase or micro-purchase Thresholds.
- Competitive bidding is still encouraged.



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Small Purchase

- Purchases with a value greater than \$5,000 but less than \$25,000.
- Competitive bids are required.
- A minimum of 3 verbal quotes must be obtained, whenever practical. Verbal only allowed for purchases under \$10,000. Over \$10,000 requires written bids/quotes.
- Documentation must be maintained of all quotes obtained, recording the name of the vendor, name of vendor rep, name of the LEA's rep seeking the quote, date, commodity, and price.



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Formal Procurement

- Value of purchase exceeds \$25,000. Over \$50,000 requires sealed bids.
- Formal methods include Competitive Sealed Bids, also called Invitation for Bids (IFB), Competitive Proposals, also called Request for Proposals (RFP), and Noncompetitive Proposals which may only be used under certain unusual conditions.
- Must publicly publish the solicitation.
- SFA must perform cost or price analysis for all formal procurements.
- SFA must maintain all documentation related to formal procurements.
- SFA must include the Buy American Provision in all formal procurements.



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Formal Procurement

- Bids shall be solicited from at least three known suppliers whenever practical, using advertising media such as newspapers, the internet, trade journals, purchasing bulletins, other media considered advisable, or mass mailings.
- If a vendor list is maintained, this requirement may be met by submitting the bid request to the vendors on the list.
- The request for bids must include all specifications, pertinent attachments, and shall define the items or services for the bidder to properly respond.



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Non-Competitive Proposals

- Under 2 CFR Section 200.320, federal procurement by noncompetitive proposals may be used only when one or more of the following apply:
 - The item is available only from a single source.
 - An emergency will not permit competitive solicitation.
 - The awarding agency or pass-through expressly authorizes noncompetitive proposals.
 - After solicitation, competition is determined to be inadequate.

- **Documentation supporting that the vendor used is the only vendor who can meet the purchasing need must be completed and available for review.**
 - Request for Information can be used to solicit information from prospective vendors and only one vendor responds as being able to meet the need.



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Emergency Procurement (Policy 8200 Section 28)

- The Governor declares an emergency situation:
 - Bid threshold rules still apply...UNLESS, if , in the opinion of the LEA, using sound judgement and discretion, time does not permit bids to be received.
 - Awards made to the lowest, responsible bidder.
 - A complete written record of all expenditures relating to the emergency shall be submitted to the Governor within 30 days of the expiration of the declaration of the emergency.



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Emergency Procurement

- Local emergency situations not declared an emergency by the Governor:
 - Each LEA must establish a local policy detailing the procedures to be followed in the case of a local emergency.
 - *****Emergency purchases are not to be used for hardships created by neglect, poor planning, or lack of organization.**
- Example:
 - A 2-year-old piece of equipment goes down creating a dangerous situation or otherwise not allowing safe operation of the food service program.
 - The emergency would be explained in writing.
 - Quotes and delivery/install timeframes would be requested from known vendors.
 - Equipment purchase could be awarded to the vendor that meets the necessary specifications with the shortest turnaround even if not the lowest price.
 - Food Service Director, Finance Director, and Superintendent would sign off on the Emergency procurement prior to making the purchase.



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Federal Competition Requirement

- Note that under 2 CFR 200.319, situations that are considered to be restrictive of competition and a violation of federal regulations include, but are not limited to:
 - Placing unreasonable requirements on firms in order for them to qualify to do business.
 - Requiring unnecessary experience and excessive bonding.
 - Non-competitive contracts to consultants.
 - Organizational conflicts of interest.
 - Arbitrary actions in the procurement process.
 - Specifying only a "brand name" product instead of allowing "an equal" product to be offered.



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Common Issues Found

- Quotes not documented when small purchase procedures were used.
- Only getting quotes for equipment purchases over \$25,000 instead of performing a formal bid process.
- Calling purchases Sole Source with no documentation of what was done to determine that only one vender was available for the purchase.
- Using a GPO to purchase a product without getting additional bids/quotes.
- Not including all State and/or Federal language/provisions in formal bids.
 - Buy American
 - Equal Opportunity Employer
 - Civil Rights Statement
 - Byrd Anti-Lobbying
 - Debarment and Suspension



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Future Procurement items

- The Office of Child Nutrition is currently working on making the below items available to Food Service Directors to help make Procurement and the Procurement Review process easier.
- RFQ/RFP Templates
 - Food Products/Prime Food Vendor
 - Equipment
 - Local Food Products
 - Produce
 - Milk
 - Bread
- Sole Source/Direct Purchase Instructions
- Emergency Purchasing Instructions
- Small Group Procurement Trainings



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Questions??

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