

Chester County Family Academy Charter School

Board of Trustees

Procurement Using Grant Funds Policy

Policy Statement

Chester County Family Academy Charter School is committed to securing goods and services using grant funds from reputable and responsible suppliers in an equitable and competitive manner and in accordance with applicable federal and state laws, regulations and guidance.

Reason for Policy

2 CFR Part 200.317 requires that grantees and subgrantees will use their own procurement procedures which reflect applicable state (PA School Code Section 807.1) and local laws and regulations, provided that procurements conform to applicable federal law and other standards. In using federal funds for procurements, Chester County Family Academy Charter School is bound to adhere to all of the procurement standards identified in 2 CFR Part 200.317 et. seq. If Chester County Family Academy Charter School's procurement policies and procedures are more restrictive than state or federal laws and regulations, Chester County Family Academy Charter School policies must be followed. 2 CFR Part 200.318 includes but is not limited to the following requirements:

- The Chester County Family Academy Charter School will use its own procurement procedures which reflect applicable state and local laws and regulations, provided that the procurements conform to applicable Federal law and regulations
- The Chester County Family Academy Charter School will have written selection procedures for procurement transactions
- Any lists of prequalified persons, firms or products to be used by the Chester County Family Academy Charter School will be updated regularly and will ensure open and free competition
- Only responsible contractors that have the ability to successfully complete contract terms will be used
- If available and applicable, excess federal property and equipment will be used before purchasing new equipment
- The Chester County Family Academy Charter School will ensure no real or apparent conflicts of interest arise during procurement activities and will adhere to the its Code of Ethics.
- All transactions will be conducted in a manner providing full and open competition (*See 34 CFR 80.36(c) for examples of restrictive procurement situations*)
- Unnecessary or duplicative purchases will be avoided
- The Chester County Family Academy Charter School will perform a cost or price analysis in connection with every procurement action including contract modifications
- Detailed records to substantiate procurement decisions, rationale and history will be maintained
- The Chester County Family Academy Charter School will handle and resolve any contract or procurement disputes
- The Chester County Family Academy Charter School must make available, upon request of the awarding agency, technical specifications on proposed procurements where the awarding agency believes such review is needed to ensure that the item and/or service specified is the one being proposed for purchase

- Any applicable bonding requirements will be followed
- The Chester County Family Academy Charter School's contracts must contain provisions of paragraph 2 CFR 200.326.
- Contracting with faith-based organizations is allowed provided there is no discrimination for or against the organization and provided that the faith-based organization offers any religious worship, instruction or proselytization at a time and in a location separate from any programs or services provided to the Chester County Family Academy Charter School and any participation in such services by beneficiaries of grant programs is voluntary

Policy Requirements

Purchasing procedures using federal and non-federal grant funds will conform to applicable state, local and federal law and any regulations identified in 2 CFR. Procurements may be awarded through noncompetitive means under certain circumstances such as if the goods/services are only available from a single source, public exigency or emergency necessitates noncompetitive procurement, the awarding agency authorizes it, or if competition is deemed inadequate. See 2 CFR Part 200.320 for additional guidance on when noncompetitive procurement may be used.

Federal regulations (See 2 CFR Part 200.320) stipulate that procurements under \$150,000 may be conducted via less formal competitive procedures such as price or rate quotations.

Procurement of goods and services using federal or non-federal grant funds must also adhere to Chester County Family Academy Charter School policies and procedures:

Documentation of procurement processes should be maintained according to the Chester County Family Academy Charter School's Record Retention Policy.

Responsibilities

The Chief Executive Office will communicate the needs of the program to Chester County Family Academy Charter School staff and assist in the evaluation of competitive bidders and vendors responding to Request for Proposals (RFPs).

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.