4029 - Procurement Policy and Procedures for Federal Fund Compliance

Purpose

This policy governs all procurement activities funded as a whole or in part with federal funds. It ensures compliance with federal regulations (including 2 CFR Part 200 – Uniform Guidance), applicable state laws, and Odyssey Charter School's internal policies. This policy is designed to promote transparency, competition, cost-effectiveness, and alignment with the school's strategic goals.

While this policy is specific to federal fund procurement, it may also be applied to other funding sources when appropriate.

Scope

This policy applies to all procurement transactions conducted with federal funds by Odyssey Charter School, Inc., including the purchase of goods, services, and construction-related activities.

Roles and Responsibilities

- Procurement Officer
  Oversees all federal fund procurement activities, ensures compliance, maintains documentation, and manages vendor selection and reviews.
- Procurement Review Committee
  Convened for complex or high-value purchases. Ensures objective evaluations and thorough documentation.

  Procurement Process

1. Needs Assessment
   The requesting department must prepare a written justification for the purchase, demonstrating its alignment with federal program goals and the school's strategic objectives.
2. Procurement Method Selection

o Micro-Purchases (Under $15,000) Micro-purchases at or below $15,000 may be awarded without soliciting competitive quotations, provided:

- The price is determined to be reasonable; and
- Purchases are distributed equitably among qualified suppliers when practicable.

o Small Purchases ($15,000-$350,000) shall obtain price or rate quotations from an adequate number of qualified sources (minimum of three) in accordance with federal and state requirements. documenting the selection, and ensuring competition.

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o Large Purchases (Over $350,000) Purchases exceeding **$350,000** shall require formal competitive procurement methods, including sealed bids or competitive proposals, consistent with applicable federal regulations.

Cost/Price Analysis
Required for all purchases over the simplified acquisition threshold (currently $350,000). Documentation must be maintained per federal and school policy.

3. Sealed Bid (Invitation to Bid or ITB)
   A formal procurement method/process where bids are publicly advertised, submitted in a sealed format, and opened publicly at a designated time. The award is typically made to the lowest responsive and responsible bidder.
4. Contract Awarding
   Contracts must be awarded to the vendor responsible offering the best overall value, considering price, quality, and compliance. Full and open competition is required.
5. Recordkeeping and Retention
   All procurement records must be stored both physically and digitally at the school's administrative office. Records must be retained for at least three years after final payment, or longer if legally required.
6. Annual Policy Review
   The Procurement Officer must review this policy annually and present any updates to the Board of Directors for approval.

Procurement Methods

1. Competitive Solicitation
   Required for purchases above the applicable threshold. Solicitations must include clear, objective evaluation criteria.
2. Invitation to Bid (ITB)
   Used when specifications are well-defined. The lowest responsive and responsible bidder is awarded the contract.
3. Request for Proposal (RFP)
   Used when flexibility is needed. Evaluation is based on technical quality, price, and overall value. Negotiation is permitted post-selection.
4. Invitation to Negotiate (ITN)
   Allows discussions with vendors to refine proposals and improve outcomes.
5. Request for Qualifications (RFQ)
   Used primarily for selecting professional service providers. Vendors are evaluated based on qualifications and past performance.

6. Vendor Preference
   Preference may be given to Certified Veteran Business Enterprises as permitted by state law and school policy.
7. Alternate Source Contracting
   The school may use contracts awarded by other government entities or cooperative purchasing groups if legally allowed and cost-effective.

Definitions

For the purposes of this policy, the following terms are defined as follows:

- Responsive Vendor: A vendor or bidder whose proposal or bid meets all material requirements of a solicitation, including specifications, delivery schedules, and terms and conditions.
- Responsible Vendor: A vendor who has the technical, financial, and organizational capacity, integrity, and past performance necessary to successfully fulfill the requirements of a contract.
- Simplified Acquisition Threshold (SAT): The dollar threshold below which simplified procurement procedures may be used, as defined by the U.S. Office of Management and Budget. As of the current federal regulation (2 CFR § 200.1), this threshold is $350,000 but may be adjusted periodically.
- Micro-Purchase Threshold (MPT): The dollar limit under which purchases may be made without obtaining competitive quotations, currently set at $15,000 under federal guidelines.
- Sealed Bid (Invitation to Bid or ITB): A formal procurement method/process where bids are publicly advertised, submitted in a sealed format, and opened publicly at a designated time. The award is typically made to the lowest responsive and responsible bidder.
- Request for Proposal (RFP): A competitive procurement method used when price and other factors such as technical capability are considered. Allows for negotiation after proposals are submitted.
- Request for Qualifications (RFQ): A procurement method typically used for selecting professional services based on qualifications, experience, and performance history rather than cost alone.
- Best Value: The most advantageous offer, considering price, quality, vendor qualifications, and compliance with solicitation requirements.

Debarment Compliance Policy for Schools

Since Odyssey Charter School, Inc. receives federal funding, grants, or contracts, all schools must comply with debarment regulations to ensure integrity and accountability in their operations. As part of this policy, schools are prohibited from engaging with individuals or entities that have been debarred from federal projects due to misconduct, fraud, or violations of federal laws. Any contractual agreements, partnerships, or funding allocations must be reviewed against the government's debarment list, maintained by the General Services Administration (GSA), to confirm eligibility.'

The Procurement Officer will verify vendor eligibility by checking the System for Award Management (SAM) database before entering into any contracts. This check must be conducted prior to signing agreements and documented as part of the procurement records. If a vendor is found on the debarment list, the contract process will be halted, and an alternative vendor must be selected. Periodic audits will be performed to ensure ongoing compliance.

Compliance and Audit Readiness

All procurement activities and documentation must support internal review and federal audit standards. Any deviations from standard procedures must be justified in writing and reported to the Board of Directors.

Policy Updates and Approval

This policy must be reviewed annually by the Procurement Officer. Proposed amendments must be submitted to the Board of Directors for approval to ensure continued legal compliance and operational relevance.